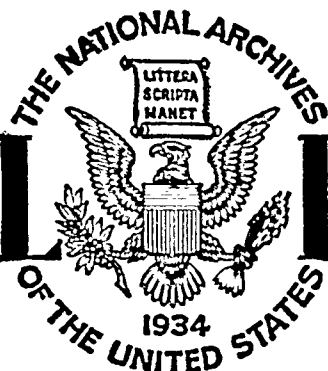


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Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 31, Amdt. 1]

PART 1460—FATS AND OILS

USE, PROCESSING, CONSUMPTION AND DELIVERY OF OITICICA OIL

Food Distribution Order No. 31 (8 F.R. 3471), § 1460.6, issued by the Acting Secretary of Agriculture on the 19th day of March, 1943, is amended as follows:

By inserting after the end of paragraph (q) thereof the following:

(r) *Temporary suspension of paragraphs (b), (c), and (d).* The restrictions and provisions of paragraphs (b), (c), and (d), of this order, shall not apply to the delivery, acceptance of delivery, use, processing, or blending of oiticica oil by any person when such delivery, acceptance of delivery, use, processing, or blending occurs in the period beginning January 1, 1944 and ending on June 30, 1944.

(s) *Additional reporting requirements.* (1) Every person, except a wholesale or retail distributor, who accepts delivery of, uses, processes, or blends 1,000 pounds or more of oiticica oil in any month after January 1, 1944, shall, on or before the 15th day of the month succeeding the month in which such acceptance of delivery, use, processing, or blending occurs, properly fill out and file Census Form BM 1, with the Bureau of the Census, Washington 25, D. C. Such form shall be obtained from the Bureau of the Census. Nothing herein shall be construed as requiring any person to file more than one Form BM 1 for any month.

(2) Every person, except a wholesale or retail distributor, who accepts delivery of, uses, processes, or blends 3,000 pounds or more of oiticica oil in any calendar quarter hereafter, beginning with the calendar quarter which commences on January 1, 1944, shall, on or before the 15th day of the second month succeeding the end of the calendar quarter

in which such acceptance of delivery, use, processing, or blending occurs, properly fill out and file Census Form BM 2, with the Bureau of the Census, Washington 25, D. C. Such forms shall be obtained from the Bureau of the Census. Nothing herein shall be construed as requiring any person to file more than one Form BM 2 for any quarter.

(t) *Further restrictions on delivery and acceptance of delivery.* After the time for filing any report required by paragraph (s) hereof has expired, no person who is required by the provisions of said paragraph (s) to file such a report or reports shall accept delivery of oiticica oil unless he has properly filed the required report or reports and, in connection with each acceptance of delivery of oiticica oil by him, has properly filled out and delivered to the person making delivery of the oiticica oil, within 30 days prior to the date of delivery, a certificate in the following form:

The undersigned hereby certifies to the Food Distribution Administration, War Food Administration, and _____

(supplier)

that this certificate is given in connection with the acceptance of delivery by the undersigned of _____ pounds of oiticica oil to be delivered by said supplier to the undersigned in _____

(month)

194__, and that, on the date hereof, the undersigned has complied with the reporting provisions of paragraph (s) of Food Distribution Order No. 31, as amended.

(Delivery)

By: _____
(Authorized Official)

(Date)

No person shall deliver oiticica oil to any other person without receiving the certificate provided for in this paragraph when he knows or has reason to believe that the person accepting delivery of the oiticica oil involved is required by the terms hereof to give such a certificate, and no person shall deliver oiticica oil pursuant to a certificate given hereunder when he knows, or has reason to believe, that such certificate is false, but, in the absence of such knowledge or reason for

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NOTICE

Book 1 of the Cumulative Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains all Presidential documents issued during the period from June 2, 1938, through June 1, 1943, together with appropriate tables and index.

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belief, he may rely on the certificate. All certificates given hereunder shall be retained by the persons receiving them for, at least, two years or for such other periods of time as the Director may hereafter specify.

(u) *Additional approval by Bureau of the Budget.* The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(v) *Effective date.* This amendment shall become effective on the 1st day of January 1944, at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 31, rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 31 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 7th day of January 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-471; Filed, January 8, 1944;
12:45 p. m.]

[FDO 36, Amdt. 1]

PART 1460—FATS AND OILS

USE AND DELIVERY OF CASHEW NUT SHELL LIQUID

Food Distribution Order No. 36 (8 F. R. 3480) § 1460.12, issued by the Acting Secretary of Agriculture on the 19th day of March, 1943, is amended as follows:

By inserting after the end of paragraph (m) thereof the following:

(n) *Temporary suspension of paragraph (b).* The restrictions and provisions of paragraph (b) of this order shall not apply to the delivery, acceptance of delivery, use, processing, or blending of cashew nut shell liquid by any person when such delivery, acceptance of delivery, use, processing, or blending occurs in the period beginning on January 1, 1944 and ending on June 30, 1944.

(o) *Additional reporting requirements.* Every person who accepts delivery of, uses, processes, or blends cashew nut shell liquid in any calendar month, shall properly fill out and file Census Form BMI for such month, with respect to cashew nut shell liquid, with the Bureau of the Census, Washington 25, D. C., on or before the 15th day of the succeeding month.

(p) *Additional approval by Bureau of the Budget.* The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(q) *Effective date.* This amendment shall become effective on the 1st day of January 1944, at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 36, rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 36 shall be deemed in full force and

effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 7th day of January 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-472; Filed, January 8, 1944;
12:45 p. m.]

[FDO 56, Revocation]

PART 1460—FATS AND OILS

INVENTORIES OF RAW LINSEED OIL

Food Distribution Order No. 56, as amended (8 F. R. 14509), issued under authority of the War Food Administrator on the 22d day of June 1943, is revoked and terminated as of 12:01 a. m., e. w. t. January 6, 1944. However, with respect to violations of Food Distribution Order No. 56, as amended, or rights accrued, or liabilities incurred, prior to said date, said Food Distribution Order No. 56, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 6th day of January 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-414; Filed, January 7, 1944;
2:11 p. m.]

[FDO 81, Amdt. 1]

PART 1440—ESSENTIAL OILS

OIL OF PEPPERMINT

Correction

In F.R. Doc. 44-71, appearing on page 152 of the issue for Wednesday, January 5, 1944, the second sentence of paragraph (d) (2) should read: "That is, the total acquisitions of oil of peppermint * * *."

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5329]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXEMPTION OF ALIEN EMPLOYEES OF FOREIGN GOVERNMENT

PARAGRAPH 1. Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] and Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Sup.] are amended by striking out the first sentence of the second para-

graph of § 19.116-2 and § 29.116-2, respectively, and inserting in lieu thereof the following:

All employees of a foreign government (including consular or other officers, or nondiplomatic representatives) who are not citizens of the United States are exempt from Federal income tax with respect to wages, fees, or salaries received by them as compensation for official services rendered to such foreign government, provided (1) the services are of a character similar to those performed by employees of the Government of the United States in such foreign country and (2) the foreign government whose employees are claiming exemption grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country.

(Secs. 62 and 116 of the Internal Revenue Code (53 Stat. 32 and 48; 26 U.S.C. 62 and 116))

[SEAL] ROBERT E. HANNEGAN,
Commissioner of Internal Revenue.

Approved: January 8, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-541; Filed, January 10, 1944;
11:17 a. m.]

[T. D. 5325]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CREDIT FOR TAX WITHHELD AT SOURCE AND REFUNDS

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Sup.] to the provisions of sections 3 (relating to credit for tax withheld at source) and 4 (relating to refunds) of the Current Tax Payment Act of 1943, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after section 35 the following new section:

§ 29.35-1 *Credit for tax withheld on wages.* The tax deducted and withheld at the source upon wages under Subchapter D of chapter 9 is allowable as a credit against the tax imposed by chapter 1 upon the recipient of the income. If the tax has actually been withheld at the source, credit or refund shall be made to the recipient of the income even though such tax has not been paid over to the Government by the employer. See section 322. For the purpose of the credit, the recipient of the income is the person subject to tax imposed under chapter 1 upon the wages from which the tax was withheld. For instance, if a husband and wife domiciled in a State recognized as a community property State for Federal tax purposes make separate returns, each reporting for income tax purposes one-half of the wages received by the husband, each spouse is entitled to one-half of the credit allowable for the tax withheld at source with respect to such wages. Similarly, if the wages of a minor child are includible in the gross income of a parent of such child, the amount of income tax withheld at the source on such wages shall be allowed

as a credit against the tax imposed upon the parent.

The credit shall be allowed against the tax imposed by chapter 1 for the taxable year of the recipient of the income which begins in such calendar year. If such recipient has more than one taxable year beginning in such calendar year, the credit shall be allowed against the tax for the last taxable year so beginning.

PAR. 2. Section 29.322-2 of Regulations 111 is amended by striking out the first and second sentences thereof and inserting in lieu thereof the following:

Credits or refunds of overpayments may not be allowed or made after the expiration of the statutory period of limitation properly applicable unless prior to the expiration of such period a claim therefor has been filed by the taxpayer.

PAR. 3. Section 29.322-3 is amended as follows:

(A) By inserting after "Form 843," in the first paragraph thereof the following: "or on Form 1040 or Form 1040A as provided in this section."

(B) By striking from the second sentence thereof the words "on such form".

(C) The second paragraph thereof is amended to read as follows:

No refund or credit will be allowed after the expiration of the statutory period of limitation applicable to the filing of a claim therefor except upon one or more of the grounds set forth in a claim filed prior to the expiration of such period. The claim must set forth in detail and under oath each ground upon which a refund is claimed, and facts sufficient to apprise the Commissioner of the exact basis thereof. For taxable years beginning after December 31, 1942, a properly executed return on Form 1040 or Form 1040A shall, at the election of the taxpayer, constitute a claim for refund or credit within the meaning of section 322 for the amount of the overpayment disclosed by such return. For the purposes of section 322 such claim shall be considered as filed on the date on which such return is considered as filed. An election to treat the return as a claim for refund or credit shall be evidenced by a statement on the return setting forth the amount determined as an overpayment and advising whether such amount shall be refunded to the taxpayer or shall be applied as a credit against the taxpayer's estimated tax for the taxable year immediately succeeding the taxable year for which such return is filed. For taxable years beginning in 1943 the tax imposed by chapter 1 includes the amount of any increases under section 6 of the Current Tax Payment Act of 1943, and such increases shall be taken into account in computing the amount of any overpayment for such years. An "amended return", so called, shall not be considered a claim for refund or credit. If the taxpayer desires the refund or credit of an amount greater than the overpayment disclosed by his original return, he should file a claim on Form 843. A claim which does not comply with this paragraph will not be considered for any purpose as a claim for refund. With respect to limitations upon the refunding or crediting of taxes, see § 29.322-7.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), and secs. 3 and 4 of the Current Tax Payment Act of 1943 (Pub. Law 68, 78th Cong.), approved June 9, 1943)

[SEAL] - ROBERT E. HANNAGAN,
Commissioner of Internal Revenue.

Approved: January 8, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-540; Filed, January 10, 1944;
11:17 a. m.]

Subchapter D—Employment Taxes [T. D. 5324]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

ACTS TO BE PERFORMED BY AGENTS

Regulations 106 [Part 402, Title 26, Code of Federal Regulations, 1940 Sup.], relating to the employees' tax and employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code), are amended as follows:

Immediately following the provisions of law under the caption "Section 1430 of the Act" as set forth in subpart H, the following is inserted:

SECTION 2 OF THE CURRENT TAX PAYMENT ACT OF 1943

(a) *In general.* Chapter 9 of the Internal Revenue Code (relating to employment taxes) is amended by inserting at the end thereof the following new subchapters:

SUBCHAPTER E—GENERAL PROVISIONS

SEC. 1632. ACTS TO BE PERFORMED BY AGENTS. In case a fiduciary, agent or other person has the control, receipt, custody, or disposal of, or pays the wages of an employee or group of employees, employed by one or more employers, the Commissioner, under regulations prescribed by him with the approval of the Secretary, is authorized to designate such fiduciary, agent or other person to perform such acts as are required of employers under this chapter and as the Commissioner may specify. Except as may be otherwise prescribed by the Commissioner with the approval of the Secretary, all provisions of law (including penalties) applicable in respect of an employer shall be applicable to a fiduciary, agent or other person so designated but, except as so provided, the employer for whom such fiduciary, agent or other person acts shall remain subject to the provisions of law (including penalties) applicable in respect of employers.

(d) *Effective date.* The amendments made by subsections (a) * * * shall take effect July 1, 1943 * * *.

§ 402.804a. *Acts to be performed by agents.* If an employer pays wages to an employee or group of employees through a fiduciary, agent, or other person who also has the control, receipt, custody, or disposal of, or pays the wages payable by another employer to such employee or group of employees, the Commissioner may, subject to such terms and conditions as he deems proper, authorize such fiduciary, agent, or other person to perform such acts as are required of employers under the act and these regulations. Application for authorization to perform such acts,

signed by such fiduciary, agent, or other person, should be filed with the Commissioner of Internal Revenue, Washington, D. C. If the fiduciary, agent, or other person is authorized by the Commissioner to perform such acts as are required of employers under the act and these regulations, all provisions of law (including penalties) and of the regulations prescribed in pursuance of law applicable in respect of an employer shall be applicable to such fiduciary, agent, or other person. However, each employer for whom such fiduciary, agent, or other person acts shall remain subject to all provisions of law (including penalties) and of the regulations prescribed in pursuance of law applicable in respect of employers.

(Sec. 1429 of the Internal Revenue Code (53 Stat. 178; 26 U.S.C. 1429), and sec. 1632 of the Internal Revenue Code, added by sec. 2 (a) of the Current Tax Payment Act of 1943 (Pub. Law 68—78th Cong.))

[SEAL] ROBERT E. HANNAGAN,
Commissioner of Internal Revenue.

Approved: January 8, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-539; Filed, January 10, 1944;
11:17 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY [Directive 23 as Amended Jan. 7, 1944]

MILITARY RATING PROCEDURE

§ 903.35 *Directive 23—(a) Purpose.* The purpose of this War Production Board directive is to provide for review by representatives of the War Production Board of certain priorities actions taken by the Army and Navy and other government agencies, and for approval of placement of certain purchase orders rated by such agencies; and to define the scope of such review.

(b) *Requirement of War Production Board approval for ratings of capital equipment and machine tools.* Every preference rating certificate on Form PD-3A, if such instrument assigns a rating to any delivery of capital equipment or machine tools (whether such delivery is to be made directly to the Army or Navy or other government agency or to a prime or subcontractor thereof), shall, prior to issuance, be approved by a duly authorized official of the War Production Board by endorsing thereon the statement "approved for issuance" duly signed, unless exempt under paragraph (e).

(c) *Procedure for review of rating actions by War Production Board officials.* (1) Instruments assigning a rating to the delivery of capital equipment and/or machine tools required in connection with a production project in a single plant, where the total cost of all tools and equipment required for the project is less than \$100,000, shall be submitted after countersignature by the appropriate Service Officer to the War Production

Board field-office within whose jurisdiction the tools or equipment are to be located. If the instrument assigns a rating to the production, as well as delivery, of equipment or machine tools it shall be approved by a War Production Board official of the field office only after he has determined that the item or items requested are required and that no suitable existing equipment or subcontracting facilities are available or that the availability or unavailability of such equipment or facilities cannot be ascertained within 10 calendar days after receipt thereof. If the instrument designates existing equipment or machine tools and the location thereof, it shall be approved by a War Production Board official of the field office if he determines that the item or items are required, regardless of whether other existing equipment or subcontracting facilities are available. Purchases shall not be divided for the purpose of coming within this paragraph (c) (1). The fact that the equipment and/or machine tools appear on a single preference rating application or on several such applications shall not determine whether the capital equipment and/or machine tools are in connection with a single given project, but the War Production Board field office shall determine this after full consideration of all the facts surrounding such application or applications. When an instrument which has been countersigned by the appropriate Service Officer under paragraph (c) (1) is disapproved by a War Production Board official in a War Production Board field office, the Service Officer may request the War Production Board field office to forward the latter's entire file in the matter, together with a statement of the facts, to the Facilities Bureau of the War Production Board, at the same time forwarding a copy of the statement of the facts to the Army and Navy Munitions Board in Washington and an additional copy to the Production Resources Division of the War Production Board. The Facilities Bureau of the War Production Board may in its discretion direct the issuance of the instrument in question.

(2) Instruments assigning a rating to the delivery of capital equipment and/or machine tools required in connection with a production project in a single plant, where the total cost of all tools and equipment required for the project is \$100,000 or more, shall be submitted after countersignature by the appropriate Service Officer to the appropriate War Production Board field office specified in paragraph (c) (1) or the Routing and Issuance Branch of the War Production Board, Washington 25, D. C., at the option of the sponsoring agency. If such instrument or instruments are submitted to the War Production Board field office under this paragraph, the field office shall not approve the same but shall recommend the granting or denying of approval and forward the same together with its recommendation to the Facilities Bureau of the War Production Board for approval or disapproval in accordance with prescribed procedure.

(3) The Tools Division of the War Production Board may from time to time specify certain machine tools as to which instruments assigning a rating to the delivery thereof shall follow the procedure specified in paragraph (c) (2) above, irrespective of whether the capital equipment and/or machine tools for the project in question may have a total cost of less than \$100,000.

(d) Approval of placement of certain purchase orders by War Production Board officials. No person to whom a preference rating has been or is at any time assigned on Form PD-3 or PD-3A, covering deliveries of capital equipment and/or machine tools required in connection with a production project in a single plant where the total cost of all tools and equipment required for the project is \$100,000 or more, shall apply the rating or any subsequent rerating to any purchase order unless a War Production Board official has approved the purchase order or it is exempt under paragraph (e). Approval of a purchase order may be obtained by submitting, to the War Production Board field office within whose jurisdiction the tools or equipment are to be located, the purchase order, or a true copy thereof, or a written document containing such appropriate parts of the order as the field office may specify. Before approving the purchase order the field office must determine that no suitable existing equipment or subcontracting facilities are available, or that their availability or unavailability cannot be ascertained within ten calendar days after its receipt of the order. If approval is refused, the person desiring to rate the purchase order may request the field office to forward its file together with its recommendation to the Facilities Bureau of the War Production Board in Washington for final approval or disapproval.

(e) Exemptions. (1) Preference rating certificates countersigned under any of the following circumstances are exempt from the requirements of paragraph (b):

(i) Where the total value of the delivery or deliveries rated by the instrument does not exceed \$500. Purchases shall not be divided for the purpose of making this exemption available.

(ii) Where the countersigning takes place outside of the forty-eight States, the District of Columbia and the Dominion of Canada.

(iii) A purchase made pursuant to approval given by a commanding officer, commandant, or the Bureau of Supplies and Accounts of the Navy, or by a commanding officer of a defense command of the Army, in an emergency where the degree of urgency is such that advance approval by a War Production Board official cannot be obtained, provided that in each such case a copy of the rating document is mailed within 24 hours after issuance to the appropriate Regional Office of the War Production Board.

(iv) Where the capital equipment or machine tools are for shipboard use (including floating dry docks), or are for use outside the forty-eight States and the District of Columbia for military operations.

(v) Where capital equipment, not including machine tools, is purchased by or for the account of the Army or the Navy for military operations, or where the purchaser intends to devote the items solely to administrative uses as distinguished from productive or operational uses.

(vi) Where the certificate assigns a rating to a command construction project of which the capital equipment and/or machine tools are only a part.

(2) Purchase orders placed under any of the following circumstances are exempt from the requirements of paragraph (d):

(i) Where the dollar value of the items covered by the purchase order does not exceed \$500. Purchases shall not be divided for the purpose of making this exemption available.

(ii) Where the purchase order is being rated by a certificate which was exempted by paragraph (e) (1), or would have been exempted by paragraph (e) (1) if this directive had been in effect when the certificate was issued.

(iii) Where each unit of capital equipment or machine tools covered by the purchase order was listed either in the certificate originally assigning a rating thereto or in a certificate (such as Form PD-4X) subsequently rerating the same or listed in an appendix or its equivalent (an itemized list) attached to such a certificate approved by the Facilities Bureau after May 31, 1943, or expressly referred to therein.

(3) Purchases of jigs, fixtures, gauges and special tools designed for the individual job and made for a special application to standard machine tools are exempt from the requirements of paragraph (e).

(4) The requirements of paragraphs (b), (c) and (d) shall not apply to such cases as may be exempted in writing by the Facilities Bureau of the War Production Board.

(f) Rating of military construction.

(1) All construction, other than command construction as defined below, will be rated only by the War Production Board, even though the facilities, when completed, will be owned, leased or operated by the Army, Navy or Maritime Commission.

(2) "Command construction" as used in this directive means the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy, viz: air fields; military housing; alien housing; facilities for the repair of finished items of munitions; overseas or theatre of operations construction; sea-coast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than \$100,000; military hospitals; maneuver, training and staging areas and proving grounds.

(3) Command construction as defined above may be rated on PD-3A certificates by Army or Navy contracting and procurement officers. Review thereof by

War Production Board officials is no longer required.

(g) *Status of existing administrative orders and instructions.* Except as otherwise provided herein, ratings on PD-3A certificates may be assigned by appropriate officials of the Army and Navy and other designated federal agencies as provided in Division Administrative Order No. 1 as heretofore supplemented, subject to existing and future Army and Navy Munitions Board instructions, and subject to approval by a War Production Board official where required by paragraph (b) hereof.

(h) *Priorities Directive No. 2 superseded.* This directive as amended supersedes Priorities Directive No. 2.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 7th day of January 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-417; Filed, January 7, 1944;
4:39 p. m.]

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; P.R. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-459]

GENERAL GAS CORPORATION

General Gas Corporation of Baton Rouge, Louisiana, is engaged in the business of selling plumbing and heating equipment. Although it was fully familiar with the terms of General Limitation Order L-79, from July 10, 1942 to December 1, 1942, General Gas Corporation sold and delivered a number of items of new metal plumbing and heating equipment to ultimate consumers without securing the preference ratings or the certifications required under Limitation Order L-79. The violations have, therefore, been deemed wilful; they have diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.459 *Suspension Order No. S-459.* (a) Deliveries of materials to General Gas Corporation, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to General Gas Corporation, its successors or assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in the foregoing paragraphs (a) and (b) shall be deemed applicable to materials used by General Gas Corporation for maintenance, repair and operating supplies, as defined in Controlled Materials Plan Regulation No. 5.

(d) Nothing in this order shall be deemed to relieve the General Gas Corporation, its successor or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect the 7th of January 1944, and shall terminate sixty days thereafter.

Issued this 31st day of December 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-415; Filed, January 7, 1944;
4:39 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-475]

STANFORD L. HIGGINS

Stanford L. Higgins of West Granby, Connecticut, purchased a farm on Day Street, West Granby, in June 1942. In August 1942 he started making substantial repairs at the dwelling house at said farm, and also began new construction. The new construction, as distinguished from the repairs cost \$800 up to the end of December 1942.

After an interview with representatives of the War Production Board, Stanford L. Higgins filed an application on Form PD-200 dated February 23, 1943, asking authorization for the installation of a water system and fixtures for use therewith. After receiving authorization to install the materials listed, Mr. Higgins installed more extensive and different materials than those listed, and engaged in a substantial amount of additional construction wholly unrelated to said authorization.

Stanford L. Higgins knew when he commenced the construction in August 1942 that there were restrictions upon such construction; he was specifically informed of the provisions of Order L-41 before he filed his application on Form PD-200; hence, his violations of Order L-41 by beginning such construction in August 1942, and his violations thereof after receiving the authorization resulting from his PD-200 application, were wilful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted scarce materials and labor to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, That:

§ 1010.475 *Suspension Order No. S-475.* (a) Neither Stanford L. Higgins, his successors or assigns, nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction of the premises on Day Street, West Gran-

by, Connecticut, owned by Stanford L. Higgins, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Stanford L. Higgins from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on January 7, 1944.

Issued this 31st day of December 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-416; Filed, January 7, 1944;
4:39 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as Amended Jan. 8, 1944]

§ 1042.1 *General Imports Order M-63—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials—(1) General restriction.* No person, except as authorized in writing by the War Production Board, shall pur-

chase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 (formerly PD-222C) addressed to the War Production Board, Ref.: M-63, Washington, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) To materials imported by mail where the value of the shipment is less than \$100.00; or

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than \$200.00; or

(vi) To materials consigned as gifts for personal use by or to members of

the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and

such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials — (1) Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Office of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB-1039 (formerly PD-222A), which form shall be addressed to the War Production Board, Ref.: M-63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports — (1) Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for

any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB-1040 (formerly PD-222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M-63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

This amended order shall become effective January 12, 1944.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: "Asphalt" removed Jan. 8, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed

below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns.....	3417.010 3417.110	1/18/43 1/18/43
Carpet yarns of agave, dyed or undyed.....	N. S. C.	1/21/42
Cordage of agave fibers, other than sisal.....	N. S. C.	1/18/43
Cords and twines of agave fibers.....	N. S. C.	1/18/43
Fabrics woven of agave fibers.....	N. S. C.	1/18/43
Other manufactures (including all products in whole or in part of agave fibers).....	N. S. C.	1/18/43
Albarco logs.....	N. S. C.	1/18/43
Albarco lumber.....	N. S. C.	1/18/43
Alpaca llama, and vicuña hair.....	3535.000 3535.400	7/2/42
Alpargatas.....	0369.600	6/28/43
Beet and mutton tallow—includes oleo stock.....	0036.600	5/22/42
Beef and mutton tallow (inedible)—includes oleo stock.....	0815.600	10/6/42
Brazilian pebble (quartz crystals), unmanufactured.....	5120.600	10/6/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc.....	N. S. C.	10/6/42
Bristles, hog and pig.....	0917.000 0979.100	3/14/42 3/14/42
Broomcorn.....	2536.000	11/23/42
Brushes, n. s. p. f.:		
Paint brushes (including artists).....	9715.100	9/23/43
Other (except toilet brushes and hair pencils).....	9715.900	9/23/43
Cacaobean oil.....	N. S. C.	1/18/43
Cacaobean seeds.....	N. S. C.	3/5/43
Castor beans.....	2231.000	4/8/42
Cedar, Spanish:		
Logs.....	4032.000	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring.....	4202.000	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved.....	N. S. C.	4/28/43
Chrome ore (Chromite).....	6213.100 6213.800 6213.600	12/28/41 12/28/41 12/28/41
Cinchona bark or other bark from which quinine may be extracted.....	2201.000	5/22/42
Cod oil.....	0804.000	5/22/42
Columbite ore (columbite) or concentrates.....	6270.300 1423.100	4/8/42 5/22/42
Cottonseed oil, crude, refined.....	1423.200 2320.140	5/22/42 7/2/42
Divi-divi pods.....		
Divi-divi, hemlock and chestnut extracts.....	2345.000	7/2/42
Feathers for beds (including geese and duck feathers and down, and mixtures thereof, new and used).....	0622.200	6/23/43
Flaxseed (linseed).....	2233.000	5/22/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin).....	5730.100	4/8/42
Crystalline flake.....	5730.500	12/28/41
Crystalline, crucible lump and chip graphite.....	5730.610	4/8/42
Crystalline, dust and other crystalline lump and chip graphite.....	5730.630	4/8/42
Hemp (Cannabis sativa type only), unmanufactured:		
Hacked, including "line of hemp".....	3263.000	9/11/42
Not hacked.....	3263.200	9/11/42
Tow.....	3263.300	9/11/42
Hides and skins:		
Deer; buck or doe.....	0293.100	9/11/42
Horse mane and tail hair, raw and drawn, including switches.....	3694.000 3694.100 3694.100	3/14/42 3/14/42 3/14/42
Lac: crude, seed, button and stick.....	2105.000	4/8/42
Lard oil.....	N. S. C.	3/5/43
Lard (including rendered pork fat).....	0036.000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats.....	0036.100	3/5/43

¹ Moved from List II 4/28/43.

² Moved from List III 1/18/43.

³ Moved from List II 11/23/42.

⁴ Moved from List III 4/28/43.

⁵ Moved from List II 5/14/43.

⁶ Moved from List III 3/5/43.

⁷ Moved from List II 10/6/42.

⁸ Moved from List III 4/28/43.

LIST I—Continued

Material	Com- merce Import Class No.	Govern- ing date
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species.....	0300.100- 0317.900 Inc.	7/2/42
Goat and kidskin leather (except vegetable-tanned).....	0345.000 0345.100 0333.000- 0333.600	7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil.....	Inc. 0335.400 0340.800 0345.200 0345.800	7/2/42 7/2/42 7/2/42 7/2/42
Macauba oil.....	2254.000	5/22/42
Manganese ore (including ferruginous) or concentrates, and manganeseiferous iron ore, containing 35 percent and over of manganese.....	N. S. C. 6211.200 6211.200 2320.180	5/14/43 5/14/43 7/2/42
Mangrove bark.....	2342.000	7/2/42
Mangrove extract (including Philippine cutch).....	2342.000	7/2/42
Muri muri nut oil.....	N. S. C.	8/21/42
Myrobalan fruit and extract.....	2304.000 2345.800	7/2/42 7/2/42
Neatsfoot oil and animal oils known as neatsfoot stock.....	0803.050	5/23/42
Oleo oil.....	0336.200	8/31/42
Palmyra fiber, unmanufactured.....	3409.310	4/28/43
Palmyra fiber, manufactured in whole or in part, including basins.....	3410.030	4/28/43
Palmyra stalks.....	N. S. C.	4/23/43
Peanut (ground nut) oil.....	1427.000	5/22/42
Peanuts:		
Shelled.....	1367.000	4/2/43
Not shelled.....	1368.000	4/2/43
Prima Vera:		
Logs.....	4033.400	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring.....	N. S. C.	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved.....	N. S. C.	4/28/43
Pyrethrum or insect flowers.....	2202.000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition.....	2220.310	10/21/42
Quebracho extract.....	2344.000	7/2/42
Quebracho wood.....	2305.000	7/2/42
Rapeseed.....	2237.000	5/22/42
Red squill.....	2210.050	10/21/42
Rotenone bearing roots (cube root (timbo or barbasco) drris and tuba) crude and advanced.....	2210.280 2210.200 2220.200 2220.300 2220.370 2239.000	5/4/42 5/4/42 5/4/42 5/4/42 5/4/42 5/22/42
Rubberseed.....	6270.200	12/28/41
Rubber seed oil.....	N. S. C.	5/22/42
Rutile.....	0810.000	7/2/43
Sesame oil, edible and inedible.....	1428.200 2240.000	7/21/42 7/21/42
Sunflower oil, cdbf and denatured.....	1421.000 2247.000	5/22/42 5/22/42
Sunflowerseed.....	2240.000	5/22/42
Tanning extracts, not specially provided for (including urunday).....	2345.000	7/2/42
Tantalum ore (tantallite).....	6270.400	4/8/42
Tara.....	2320.230	7/2/42
Tucum oil.....	N. S. C.	8/21/42
Valonia beards and valonia extract.....	2307.000 2345.100	7/2/42 7/2/42
Vegetables, dehydrated.....	N. S. C.	4/23/43
Vermiculite.....	N. S. C.	3/5/43
Wattle bark.....	2309.000	7/2/42
Wattle extract.....	2345.000	7/2/42
Whale oil (other than sperm).....	0863.000	5/22/42
Wool grease, including degrass and brown wool grease (all grades).....	0813.200 0813.300 0813.000	5/22/42 5/22/42 5/22/42
Zirconium ore.....	6270.000	12/28/41

⁹ Moved from List III 4/2/43.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended Jan. 8, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are in-

Material	Com- merce Import Class No.	Govern- ing date
Agave fibers, unmanufactured, not elsewhere specified on this order (including flume tow and bagasse waste)	N. S. C. 6302. 200	8/5/43 6/1/42
Aluminum scrap	6650. 000	12/28/41
Antimony	6651. 000	12/28/41
	6651. 100	12/28/41
	8380. 180	12/28/41
	8380. 210	12/28/41
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500. 010	1/13/42
	5500. 020	1/13/42
	5500. 090	1/13/42
	5500. 300	1/13/42
	5500. 500	1/13/42
	5501. 000	1/13/42
	5501. 100	1/13/42
	5501. 900	1/13/42
	5502. 100	1/13/42
Babassu nuts and kernels	2239. 130	4/8/42
	2239. 150	4/8/42
Babassu nut oil	2257. 100	4/8/42
Balsa wood:		
Logs	4022. 100	6/10/41
Sawn boards, planks, deals and sawed timber	4118. 000	6/10/41
Beryl ore or beryllium ore	6270. 000	5/4/41
Beryllium oxide, carbonate and other beryllium salts	8380. 863	5/4/41
Cashew nut kernel oil	2257. 400	4/8/42
Cashew nut shell liquid (oil)	2171. 850	4/8/42
Castor oil	2260. 020	4/8/42
Cattle, ox, and calf tail hair includ- ing switches	3694. 900	7/2/42
Coconut oil	2242. 500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/41
Coir fiber	2409. 000	11/23/42
Coir yarn	2420. 000	11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	11/23/42
Copper	6401. 870	12/23/41
	6417. 100	3/14/42
	6430. 000	3/14/42
	6418. 200	6/1/41
Copper and brass scrap	6401. 800	12/23/41
	6418. 100	7/2/42
	6453. 000	6/1/41
	6760. 020	6/1/41
Copper, brass, and bronze manufac- tures:		
Copper, brass, or bronze manu- factures, not elsewhere speci- fied on this order, which con- tain 25% or more of copper, brass, or bronze, by weight	N. S. C.	6/22/41
Copper table, household, kitchen, and hospital utensils, and hol- low or flat ware, n. s. p. f.	6430. 050	4/2/42
Brass blow torches, and incandes- cent lamps operated by com- pressed air and kerosene or gaso- line	6458. 700	4/2/42
Brass table, household, kitchen, and hospital utensils, and hol- low or flat ware, n. s. p. f.	6458. 800	4/2/42
Copra	2232. 000	1/13/42
Corn or maize oil (edible)	1422. 000	5/22/42
Corundum and emery in grains, or ground, pulverized, or refined	5470. 010	5/22/42
Corundum ore	5460. 000	5/22/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	8/21/41
Balloon fabric, type HH	N. S. C.	8/21/41
Balloon fabric, type SS	N. S. C.	8/21/41
Cotton rope for spinning mules	N. S. C.	11/23/41
Decating apron fabric	N. S. C.	11/23/41
English spun combed cotton yarn, single or plied, in counts of 58's and finer	N. S. C.	11/23/41
Filter cloth	N. S. C.	11/23/41
Grey tracing cloth fabric	N. S. C.	11/23/41
Lithograph molaslin cloth	N. S. C.	11/23/41
Printers mollen	N. S. C.	11/23/41
Tracing cloth	3970. 000	8/21/41
Typewriter ribbon fabric	N. S. C.	8/21/41
Cottonseed hull fiber	N. S. C.	7/21/41
Emetine and salts thereof	N. S. C.	1/8/50
Fir, other than Douglas fir:		
Logs	N. S. C.	4/23/41

List II—Continued

[illegible]

¹ Moved from List I 1/8/44.

¹ Moved from List I 1/8/44.

LIST II—Continued

Material	Com- merce Import Class No.	Govern- ing date
Pulpwood.....	4580.000- 4586.000 inc.	1/12/44
Punga fiber.....	N. S. C.	3/5/43
Quinine salts or alkaloids from cin- chona bark:		
Quinine sulphate.....	8102.000	3/5/43
Quinine alkaloid.....	8103.200	3/5/43
Other salts and derivatives of quinine.....	8103.300	3/5/43
Cinchonidine and its salts.....	8103.400	3/5/43
Cinchonine and its salts.....	8103.500	3/5/43
Quinidine and its salts.....	8103.600	3/5/43
Totaquine and totaquine com- pounds.....	N. S. C.	3/5/43
Raffia, unmanufactured.....	3400.500	4/28/43
Rapeseed oil, denatured and not denatured.....	2246.000 2253.000	5/22/42 1/13/42
Shellac, unbleached and bleached.....	2107.200 2108.000	3/14/42 3/14/42
Silk:		
Cocoons.....	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun.....	3709.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced.....	3702.000	10/21/42
Silk waste.....	3704.000	10/21/42
Wild silk or tussah.....	3702.100	10/21/42
Silver:		
Ores, concentrates, and base bul- lion, valuable chiefly for silver content.....	6810.500	7/21/42
Bullion, refined.....	6810.600	7/21/42
Coin, foreign.....	6810.800	7/21/42
Sweepings and scrap, including silver sulphides.....	6810.900	7/21/42
Semiprocessed items, valuable chiefly for silver content.....	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver con- tent.....	N. S. C.	7/21/42
Sisal and benequen, unmanufact- ured (includes flume tow and bagasse waste).....	3401.000	1/18/43
Sperm oil, crude, refined or other- wise processed.....	0803.000 0803.100	5/22/42 5/22/42
Talc, steatite (magnesium silicate), containing not to exceed 1 1/2% lime and 1 1/2% ferric oxide:		
Crude and unground.....	N. S. C.	11/23/42
Ground, washed, powdered, or pulverized.....	N. S. C.	11/23/42
Tin:		
Alloys, chief value tin, n. s. p. f. (including alloy scrap).....	6551.500	6/1/42
Bars, blocks, pigs, grain or gran- ulated.....	6551.500	6/1/42
Metallic scrap (except alloyed scrap).....	6551.600	6/1/42
Tin-plate scrap.....	6740.050	7/2/42
Tung oil (China wood oil).....	2241.000	1/31/42
Tungsten ore and concentrates.....	6232.000	12/28/41
Urena lobata fiber.....	N. S. C.	10/6/42
Vanadium ore.....	6260.000	12/28/41
Yucca fiber.....	N. S. C.	3/5/43

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST III

NOTE: List III amended Jan. 8, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Agave fiber processors' mill waste (including sisal and benequen processors' mill waste).....	N. S. C.	8/5/43
Alcives and other pickled or salted fish, n. s. p. f.....	0073.300- 0073.900 inc.	7/2/42

LIST III—Continued

Material	Com- merce Import Class No.	Govern- ing date
Alfalfa seed.....	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances.....	0067.000	7/2/42
Anchovies, in oil or in oil and other substances.....	0064.200 0064.300	1/18/43 1/18/43
Annatto and annatto extracts.....	2320.000	7/2/42
Apples, dried, desiccated, or evap- orated.....	1330.010	6/28/43
Aptocots, dried, desiccated, or evaporated.....	1330.120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate.....	8329.000 8330.000 8330.013	7/2/42 7/2/42 7/2/42
Balata, Massarunduba.....	N. S. C.	3/5/43
Balata, Peruvian, F. A. Q., white.....	N. S. C.	3/5/43
Bananas, dried, desiccated, or evaporated.....	1330.170	6/28/43
Bananas, green or ripe.....	1301.000	7/2/42
Barley malt.....	1080.000	7/2/42
Baskets and bags of wood, straw, etc.....	4221.000 4221.200 4221.500 4221.600 4221.900	7/2/42 7/2/42 7/2/42 7/2/42 7/2/42
Beans, dried.....	1192.000	7/2/42
Beef and veal, pickled or cured.....	0029.000	7/2/42
Beef, canned, including corned beef.....	0028.000	7/2/42
Beef, fresh, chilled or frozen.....	0018.000	5/14/43
Beeswax.....	0972.000 0972.100 0974.000	7/2/42 7/2/42 7/2/42
Berries, dried, desiccated, or evap- orated.....	1330.210	6/28/43
Blood, dried.....	8505.000	7/2/42
Bone black, bone char, and blood char.....	0990.130	7/2/42
Bones, crude.....	0911.200	7/2/42
Bones, ground, ash, dust, meal and flour.....	0911.300	7/2/42
Bottle caps, collapsible tubes, and sprinkler tops of metal, including foil bottle caps (except screw caps and patented closures).....	6790.010 6790.020 4033.000	5/14/43 5/14/43 7/2/42
Boxwood logs.....	1181.000	7/2/42
Bran, shorts, and other wheat by- product feeds.....	1356.000 1357.000	7/2/42 7/2/42
Brazil or cream nuts.....	0044.000	7/2/42
Butter.....	0041.200	4/2/43
Buttermilk, dried.....	1420.000	7/2/42
Cacao butter (cocoa butter).....	3510.000	4/28/43
Camel's hair.....	3511.000 3511.100 3511.200 3511.300 3511.500	4/28/43 4/28/43 4/28/43 4/28/43 4/28/43
Camel's hair tops.....	3560.000	1/18/43
Canary seed.....	2452.000	7/2/42
Candelilla wax.....	2252.200	7/2/42
Carnauba wax.....	2251.000	7/2/42
Caros fiber.....	4692.500	7/2/42
Caros manufactures.....	N. S. C.	1/18/43
Caros yarn.....	N. S. C.	10/6/42
Casein or lactarene.....	0943.000	7/2/42
Cashew nuts and kernels.....	1377.000	4/8/42
Cashmere goat hair, Angora rabbit hair, and hair of other like ani- mals, n. e. s.....	3535.500 3535.600 3535.700 3535.800 3535.900	4/2/43 4/2/43 4/2/43 4/2/43 4/2/43
Cassia buds, unground.....	1533.000	10/6/42
Cassia, cassia vera, unground.....	1533.100	10/6/42
Cassia, cassia buds and cassia vera, ground.....	1550.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal).....	8509.100	1/18/43
Celery seeds.....	1525.000	8/5/43
Cheese.....	0045.100- 0046.900 inc.	7/2/42
Cherries, dried, desiccated, or evaporated.....	1317.100	6/23/43
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed.....	0025.400	4/23/43
Live.....	N. S. C.	4/23/43
Prepared or preserved.....	N. S. C.	4/23/43
Chickpeas and garbanzos, dried.....	1200.000	7/2/42
Chicle, crude and refined or ad- vanced.....	2131.000 2189.300	7/2/42 7/2/42
China clay or Kaolin.....	5300.000	8/21/42
Cinnamon and chips of, unground.....	1526.000	10/6/42
Cinnamon and chips of, ground.....	1550.030	10/6/42
Citrons, or citron peel, crude, dried.....	1326.200	6/28/43
Cocoa beans or cacao beans.....	1601.300	7/2/42

LIST III—Continued

Material	Com- merce Import Class No.	Govern- ing date
Cocoa powder, unsweetened and sweetened.....	1602.100 1602.300 1602.900 1361.000	1/18/43 1/18/43 1/18/43 10/21/42
Cocoanuts, in the shell.....	1379.000	10/21/42
Coconut meat, shredded and desic- cated or similarly prepared.....		
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil etc., and not in airtight contain- ers, weighing, with contents, not over 15 lbs. each).....	0069.000 0069.200 0069.900	4/2/43 4/2/43 4/2/43
Coffee, raw or green; roasted or processed.....	1511.000 1511.100	7/2/42 7/2/42
Combinations and mixtures of ani- mal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for.....	2260.120	7/21/42
Corn.....	1031.000	7/2/42
Corn, cracked.....	1090.180	7/2/42
Cornstarch.....	2816.000	10/25/43
Cotton linters, (all grades).....	3005.000	7/2/42
Cotton, raw (all staple length).....	3001.000 3003.000 3003.700 3003.800	7/2/42 7/2/42 7/2/42 7/2/42
Cotton waste.....	3006.100 3006.200 3006.310 3006.330 3006.350 3006.360 3006.600 3230.350 8230.300	7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42
Cotton—Merino waste.....	9350.502	7/2/42
Crabs, fresh or frozen, prepared or preserved.....	0080.400 0080.500	7/2/42 7/2/42
Cream, dried.....	0041.300	4/2/43
Crin vegetal.....	3407.000	6/23/43
Currents, dried.....	N. S. C.	6/23/43
Dates, dried.....	N. S. C.	6/23/43
Dog food.....	1190.700 1190.800	7/2/42 7/2/42
Egg albumen, dried.....	0094.000	3/6/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.....	0095.000	3/6/43
Eggs (chicken) whole, in the shell.....	0083.100	7/2/42
Eggs, dried.....	0090.000	3/6/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.....	0091.000	3/6/43
Eggs of poultry other than chicken, whole, in the shell.....	0088.000	3/6/43
Egg yolks, dried.....	0092.000	3/6/43
Egg yolks, frozen, or otherwise pre- pared or preserved, n. s. p. f.....	0093.000	3/6/43
Ergot.....	2210.330	10/6/42
Fatty acids, not specifically pro- vided for, derived from vege- table oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil.....	2260.220	5/22/42
Lined oil.....	2260.210	7/21/43
Soybean oil.....	2260.230	7/21/42
Other, not elsewhere specified.....	2260.240	7/21/42
Fatty alcohols and fatty acids sul- phated, not elsewhere specified, and salts of fatty acids sulphated, not elsewhere specified.....	2260.280	7/21/42
Figs, dried.....	N. S. C.	6/23/43
Fish scrap and fish meal.....	0070.000 8500.700	7/2/42 2/7/43
Fish-liver oil, n. e. s. (Include hal- but-liver oil).....	2220.250	1/12/41
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.....	3660.000- 3670.670 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber).....	3060.100	10/21/42
Pile mats and floor coverings of rattan.....	3060.300	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan.....	3063.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton.....	3063.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.....	3063.000	10/21/42
Fluorspar.....	5301.000 5301.100	7/2/42 7/2/42
Fruits, dried, not elsewhere spec- ified on this order.....	N. S. C.	6/23/43
Garlic.....	1205.000	7/2/42
Ginger root, unground, not pre- served or candied.....	1630.100	10/6/42

List III—Continued

Material	Com- merce Import Class No.	Govern- ing date
Ginger root, ground, not preserved or candied	1550. 050	10/3/42
Glue, except glue size and fish glue (value under 40¢ lb.)	0940. 100	7/2/42
Glue stock, not elsewhere specified	0930. 900	8/5/43
Goat and kid hair except Angora (mohair) and Cashmere	2696. 200	7/2/42
Grapefruit and pomelos	1202. 000	7/2/42
Grapes, dried, other than raisins	1319. 500	6/28/43
Grapes, fresh (other than hothouse).	1318. 500	7/2/42
Guanac	8504. 000	7/2/42
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Gums copal (include Kongo, Manilla, East India, Animi, Accroide, Yacca)	2103. 700	1/12/44
Hairpins of base metal, not plated with gold or silver, not jewelry (including bobby pins)	6780. 350	5/14/43
Hempseed	2238. 000	5/22/42
Hempseed oil	2260. 000	7/21/42
Herring (including sprats, pilchards and anchovies), all types	0070. 000 inc. 0070. 900	7/2/42
Hibiscus cannabinus or feroc.	N. S. C.	7/2/42
Hide cuttings, raw	0930. 800	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins:		
Horse, colt, and ass	0211. 100	7/2/42
	0211. 300	7/2/42
	0212. 100	7/2/42
	0212. 200	7/2/42
	0212. 300	7/2/42
	0212. 500	7/2/42
Shearings, dry and wet (except close shorn skins with commercially worthless wool, ¾ inch and down)	N. S. C.	7/2/42
Sheep and lamb skins, except shearings, cabrettas, etc.:		
Pickled skin, not split, no wool	0234. 000	7/2/42
Pickled fleshers, split, flesh side	0234. 100	7/2/42
Pickled skivers, split, grain side	0234. 200	7/2/42
Other woolled, (wool on) except shearings	0231. 500	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260. 100	7/21/42
Ilmenite (including ilmenite sand).	6270. 100	7/2/42
Iodine	8300. 000	7/2/42
	8380. 630	7/2/42
Iron ore	6001. 000	7/2/42
Kola nuts	2210. 400	7/2/42
Lamb, fresh, chilled or frozen	0022. 000	5/14/43
	0332. 000	
	0332. 500	* 7/2/42
	inc.	
	0334. 000	
	0335. 350	* 7/2/42
Leather unmanufactured (all types except bovine, goat and kid, and rough vegetable-tanned goat and sheep skins)	inc.	
	0335. 500	
	0335. 990	* 7/2/42
	inc.	
	0340. 000	
	0340. 700	* 7/2/42
	inc.	
	0345. 400	* 7/2/42
	0345. 900	* 7/2/42
Leche caspi (including crude sorva gum)	2170. 000	3/5/43
Lentils	1190. 000	7/2/42
Lignale oil or Bois de Rose	2280. 270	7/2/42
Limes	1304. 000	7/2/42
Lobsters, canned and not canned	0083. 000	7/2/42
	0084. 000	7/2/42
Lupines	1192. 100	7/2/42
Mace, unground	1540. 000	10/8/42
Mace, ground	1550. 000	10/8/42
Mace, Bombay or wild, unground	1549. 200	10/8/42
Mace, Bombay or wild, ground	1550. 100	10/8/42
Maté	2210. 570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770. 500	10/8/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. l. (include liver paste; also include mutton)	0032. 000	10/21/42
Meat extracts, including fluid	0035. 000	7/2/42
Melons	1330. 420	7/2/42
	1330. 430	7/2/42
Milk; condensed and evaporated	0040. 000	7/2/42
	0040. 100	7/2/42
	0040. 700	7/2/42
Milk, skimmed, dried	0041. 100	4/2/43
Milk, whole, dried	0041. 000	4/2/43
	3330. 000	
Mohair (Angora goat hair)	3330. 400	7/2/42
	inc.	
Mohair tops	3560. 100	1/18/44
	3570. 300	
Mohair yarns	3570. 600	1/18/44
	inc.	

² Moved from List I 1/8/44.

LIST III—Continued

Material	Com- mence Import Class No.	Govern- ing date
Molasses and sugar syrup, edible and inedible	1600.450- 1600.600 Inc.	7/2/12
Monazite sand and other thorium ores	6200.000	7/2/12
Muru muru nuts and kernels	2200.000 2200.040	5/22/12 5/22/12
Mutton, fresh, chilled or frozen	6000.000	7/14/12
Nitrates, Sodium and Potassium	5500.000 5500.000 5500.000	7/2/12 7/2/12 7/2/12
Nitrogenous material, n. s. p. i. (in- cluding hoof meal and horn meal)	5200.000	1/12/12
Nutmegs, ground	1500.000	10/2/12
Nutmegs, unground	1500.100	10/2/12
Oats, hulled and unhulled	1000.000 1000.100	7/2/12 7/2/12
Oil, edible	6000.000	7/2/12
Oil cake and oil cake meal:		
Coconut or copra	1100.000	3/2/12
Soybean	1100.000	3/2/12
Cottonseed	1100.000	7/2/12
Linseed	1100.000	3/2/12
Peanut	1100.000	7/2/12
Hempseed	1100.000	7/2/12
Other n. s. p. i.	1100.000	7/2/12
Oleostearin	6000.000	7/2/12
Olive oil, edible	1400.000 1400.000	5/2/12 5/2/12
Olive oil, inedible:		
Sulphured or foets	2200.000	5/2/12
Other	2200.000	5/2/12
Onions, edible	1200.100	7/2/12
Orange flower or norell oil	2200.000	1/12/12
Orange oil (including mandarin)	2200.000	1/12/12
Orange oil, terpenoid (including mandarin)	2200.100	1/12/12
Paper base stocks:		
Bags for paper stock	4000.000	7/2/12
Waste bagging, gunny cloth and bags	4000.000	7/2/12
Grasses, fibers, waste, chavings, clippings, etc., n. s. p.	4000.000	7/2/12
Paprika, ground or unground	1200.100	5/2/12
Peaches, dried, desiccated, or evap- orated	1300.000	5/2/12
Peaches, green, ripe, or in brine	1300.000	7/2/12
Peanut butter	1300.000	5/2/12
Pearl shells or mother-of-pearl shells, unmanufactured	6000.000	5/2/12
Pears, dried, desiccated, or evap- orated	1300.000	5/2/12
Pears, green, ripe or in brine	1300.000	7/2/12
Pears, dried and split	1300.000	7/2/12
Peppers	1200.000	7/2/12
Pissava fiber	3400.340	7/2/12
Pissava fiber, manufactured in whole or in part (dressed cut to length, etc.)	3400.000	3/2/12
Pigeons, racing or fancy	6000.000	7/2/12
Pigeons, other	N.S.O.	7/2/12
Pimento (allspice), unground	1500.000	10/2/12
Pimento (allspice), ground	1500.100	10/2/12
Pimientos, packed in brine or oil, or prepared or preserved	1200.000	5/2/12
Pork:		
Fresh or chilled	6000.100	7/14/12
Frozen	6000.000	7/14/12
Pork, hams, shoulders, bacon, cas- sage; prepared, cooked, kaneel, canned, etc.	6000.000 6000.000	7/2/12 7/2/12
Prunes, prunelles, and plums:		
Green or ripe, not in brine	1300.000	5/2/12
In brine	1300.000	5/2/12
Dried, desiccated, or evaporated	1300.000	5/2/12
Otherwise prepared or preserved, n. s. p. i.	1300.000	5/2/12
Psyllium seed (plantago psyllium seed, flaxseed, flaxseed and flax- seed husks)	2200.000	5/14/12
Raisins:		
Made from seedless grapes	1300.100	5/2/12
Other	1300.000	5/2/12
Ramie fiber or China grass, unman- ufactured	3400.000	5/2/12
Rice:		
Paddy	1000.000	10/2/12
Uncleaned or brown rice	1000.100	10/2/12
Cleaned or milled rice	1000.000	10/2/12
Patna rice, cleaned, for use in canned soups	1000.000	10/2/12
Rice meal, flour, polish and bran	1000.100	10/2/12
Rice, broken	1000.000	7/2/12
Rye	1000.000	7/2/12
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere speci- fied, or from fatty acids thereof	2200.000	7/2/12
Sanssevieria fiber	N.S.O.	5/2/12
Sanssevieria manufactures (includ- ing all products in whole or in part of sanssevieria)	N.S.O.	5/2/12
Sardines, in oil or in oil and other substances	6000.000 6000.000	4/2/12 4/2/12

List III—Continued

[illegible]

¹ Moved from List II 9/23/43.

N. S. O.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however*, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or on an ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions

is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63. (Issued May 14, 1943.)

[F. R. Doc. 44-451; Filed, January 8, 1944; 11:38 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, as Amended Jan. 8, 1944]

Pursuant to General Imports Order M-63, as amended, which this order supplements, It is hereby ordered, That:

§ 1042.2 *Supplemental General Imports Order M-63-a.* Until further or-

der of the War Production Board, the provisions of General Imports Order M-63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador, except with respect to materials listed on Schedule A attached hereto.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Table amended Jan. 8, 1944.

Material:	Commerce import Class No.	Effective date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)-----	N. S. C.	Aug. 5, 1943
Bones, crude-----	0911.200	Aug. 5, 1943
Bottle caps, collapsible tubes, and sprinkler tops of metal, including foil bottle caps (except screw caps and patented closures)-----	6790.010	May 14, 1943
Canary seed-----	6790.020	May 14, 1943
Chicle, crude and refined or advanced-----	2452.000	Dec. 14, 1942
Chickpeas and garbanzos, dried-----	2131.000	Dec. 14, 1942
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 15 pounds each)-----	2189.300	Dec. 14, 1942
Coffee: raw or green-----	1200.000	Mar. 5, 1943
roasted or processed-----	0069.000	Aug. 5, 1943
Fish-liver oil, n. e. s. (include halibut-liver oil)-----	0069.200	Aug. 5, 1943
Hairpins of base metal, not plated with gold or silver, not jewelry (including bobby pins)-----	0069.900	Aug. 5, 1943
Molasses and sugar sirup, edible and inedible-----	1511.000	Mar. 5, 1943
inclusive-----	1511.100	Mar. 5, 1943
Oil cake and oil cake meal:	2220.250	Jan. 12, 1944
Coconut or copra-----	1111.000	Mar. 5, 1943
Soybean-----	1112.000	Mar. 5, 1943
Cottonseed-----	1114.000	Dec. 14, 1942
Linseed-----	1115.000	Mar. 5, 1943
Peanut-----	1119.600	Dec. 14, 1942
Hempseed-----	1119.700	Dec. 14, 1942
Other, n. s. p. f.-----	1119.900	Dec. 14, 1942
Onions (edible)-----	1208.100	Dec. 20, 1943
Peanut butter-----	1380.090	Sept. 23, 1943
Pigeons, other-----	N. S. C.	Jan. 12, 1944
Pigeons, racing or fancy-----	0895.600	Jan. 12, 1944
Sansevieria fiber-----	N. S. C.	June 28, 1943
Sansevieria manufactures (including all products in whole or in part of sansevieria)-----	N. S. C.	June 28, 1943
Sesame seed-----	2234.000	Nov. 26, 1942
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.-----	0808.730	Jan. 12, 1944
Syrups and extracts for use in the manufacture of beverages, if transported in railway tank cars-----	N. S. C.	April 28, 1943

[F. R. Doc. 44-455; Filed, January 8, 1944; 11:38 a. m.]

PART 3109—MEDICAL EQUIPMENT AND SUPPLIES SIMPLIFICATION

[General Limitation Order L-214, Schedule 1, Revocation]

HOSPITAL ENAMELED WARE

Section 3109.2 *Schedule 1 to General Limitation Order L-214* is revoked. This revocation does not affect any liabilities incurred under this schedule. The schedule is superseded by Order L-30-b, as amended, simultaneously with this revocation.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-459; Filed, January 8, 1944; 11:39 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 43]

ELIMINATION OF 1943 ORDERS FOR ALUMINUM

The following direction is issued pursuant to CMP Regulation 1 (§ 3175.1):

(a) Notwithstanding Direction 23 to CMP Regulation No. 1 and paragraph (t) (4) of CMP Regulation No. 1, Producers of Aluminum and Controlled Material Form, are hereby directed to remove from their production schedules by January 1, 1944, all authorized controlled material orders bearing a 1943 CMP allotment number which are not in production by December 31, 1943. This does not apply to authorized controlled material orders for the fourth quarter of 1943 which have not been produced or entered into production because of inability of the producer to meet his production schedules. If the customer still wants delivery of the orders removed under this direction, they may only be restored to the schedule and produced under the conditions applicable to a new authorized-controlled material order placed at the time the new allotment and new certification is furnished.

(b) An order taken out of a producer's production schedule because it has a 1943 allotment number on it, should not be reported as an unfilled order to the Aluminum and Magnesium Division on any report.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-454; Filed, January 8, 1944;
11:38 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-30-b, as Amended Jan. 8, 1944]

ENAMELED WARE

Section 3291.155 *Limitation Order L-30-b* is hereby amended to read as follows:

§ 3291.155 *Limitation Order L-30-b*—(a) *What this order does.* This order states the rules governing the manufacture of household, cooking and hospital articles made of vitreous-enameled iron and steel. The kinds and sizes of enameled ware which may be made are described, including hospital ware which was formerly covered by Schedule I to Order L-214. Quotas are placed on the use of iron and steel. Special provisions are made for military and export orders.

(b) *Definitions.* When used in this order:

(1) "Enameled ware" means any of the articles listed on Table A when made of vitreous-enameled iron or steel. It does not include any furniture, electrical or gas appliance or power-driven equipment.

(2) "Preferred orders" means any purchase order or contract for enameled ware which will be ultimately delivered to the Army or Navy of the United States, the U. S. Maritime Commission or War Shipping Administration.

(3) "Export orders" means any purchase order or contract for enameled ware for delivery outside the United States, its territories and possessions.

(4) "Civilian order" means any purchase order or contract other than a preferred order or export order.

(c) *What enameled ware may be made.* (1) No manufacturer shall produce or assemble any enameled ware that does not conform to Table A. Exceptions to this rule are stated below.

(2) A manufacturer may complete the following operations on enameled ware which was otherwise completed by December 31, 1942; making and attaching handles, bails, spouts and ears; welding together fabricated parts; applying a vitreous-enameled or other coating.

(3) The War Production Board may authorize on Form WPP-1319 (formerly PD-556) enameled ware not conforming to Table A to fill export orders.

(4) The provisions of Table A do not apply to enameled ware which is produced to fill preferred orders or for experimental use in a scientific laboratory in connection with the development of enameled ware standards.

Quota Restrictions

(d) *General.* No manufacturer shall use more iron and steel in making enameled ware than the amounts stated below. Each manufacturer has a quota for civilian orders and a separate quota for preferred orders and export orders. In each calendar quarter a manufacturer is limited to a percentage of the iron and steel he used in his total production of enameled ware in the twelve months ending June 30, 1941, the "base period." The gross weight of iron and steel when first put into production, whether in the form of raw materials or as purchased parts, is considered the amount of iron and steel used and to be used in figuring out the quotas. A manufacturer who purchases black shapes and covers them with an enamel coating should include the weight of these black shapes in his "use" of iron and steel, while a manufacturer who fabricates the black shapes should consider the gross weight of the sheets he cuts up as part of his "use" of iron and steel.

(e) *Civilian quotas*—(1) *General rule.* In his production for civilian orders of all enameled ware (except roasters), a manufacturer is limited in each calendar quarter to one-fourth of 70% of the iron and steel which he used for all enameled ware (except roasters) in the base period. No manufacturer may produce during any calendar year more enameled roasters than 15% of the number he produced in the base period.

(2) *Optional quotas for manufacturers of hospital ware.* Instead of following the general rule any manufacturer may use in any calendar quarter in producing hospital enameled ware (See Table A) not more than one-fourth of 100% of the iron and steel which he used for that ware in the base period. If he does this, however, his civilian quota for non-hospital ware (except roasters) is reduced to one-fourth of 60% of the iron and steel he used for that ware in the base period. Any manufacturer who chooses this alternative or who later decides to follow the general rule stated in the preceding paragraph shall notify the War Production Board by January

15, 1944 or before the first day of the quarter in which he intends to do this.

(3) *Division of quota among different articles.* In allocating his iron and steel among the items listed in column (2) of Table A, a manufacturer should use his best efforts to divide his quota of iron and steel among all the articles which he customarily makes in such a way as to meet the essential needs for those articles. If it is found that an undue shortage exists in certain articles or that production is being concentrated too much on other articles, the War Production Board may issue written instructions to any manufacturer directing him to allocate a specified share of his production to articles which are considered most essential. Failure to comply with a specific direction shall be deemed a violation of this order.

(f) *Quotas for preferred orders and for export.* In addition to his civilian quota, a manufacturer may use during any quarter in producing enameled ware to fill preferred orders and export orders not more than one-fourth of 55% of the iron and steel which he used in the base period for all enameled ware.

(g) *Unused quotas.* A manufacturer may use for civilian orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's civilian quota. A manufacturer may also use to fill preferred orders and export orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such orders.

(h) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas. This will only be done in special cases and for limited periods of time. For example, if one or more manufacturers are unable to use their full quota in any quarter, other manufacturers may be permitted to use the unused amount in addition to their own quotas. Similarly, if additional iron or steel becomes available at any time, the War Production Board may authorize its use in addition to the quotas. As far as practicable increases will be permitted for all manufacturers of the articles to be made in proportion to their quotas. Permission will be granted either in the form of individual letters or of published directions supplementary to this order.

Miscellaneous Provisions

(i) *Overruns, rejects and cancellations.* Enameled ware made to fill a preferred order, which, because of overruns, rejects, cancellations of orders or any other reasons cannot be used to fill that order, may be used or disposed of only as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1.

(j) *Reports.* (1) Each manufacturer shall file with the War Production Board on or before January 31, 1944, a letter showing the amount of iron and steel which he used in hospital enameled ware and non-hospital enameled ware during the twelve months ending June 30, 1941.

(2) Each manufacturer shall file with the War Production Board on or before

January 20, April 20, July 20, and October 20 of each year, a report on Form WPB-1600 (formerly PD-655), showing his production, shipments, and inventory of enameled ware for the preceding quarter.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of enameled ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-30-b.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LE A

General. Under the provisions of paragraph (c) of Order L-30-b, no manufacturer shall produce or assemble any enameled ware falling within any class in column (1) except articles listed in column (2) conforming to the restrictions of columns (3) and (4). When a manufacturer is permitted to make more than one size of any article, each size he manufactures shall fall within a different one of the size ranges specified, except that if only one size range is specified he may manufacture the permitted number of sizes anywhere within that range.

(1) Class of articles	(2) Permitted types in each class	(3) Number of sizes permitted each manufacturer	(4) Sizes
Cooking enameled ware (Utensils used primarily in the preparation, cooking, serving or storage of foods or beverages, whether for household, institutional, commercial, governmental or any other use).	Bain Marie pots.....	2	2 to 2½ quart and 4 to 4½ quart capacity.
	Coffee boilers ¹	1	9½ to 12-quart capacity.
	Double boilers ¹	2	1½ to 2½ quart and 6½ to 8 quart capacity.
	Kettles ¹	1	14 to 20-quart capacity.
	Ladles.....	1	Manufacturer's choice.
	Percolators (with or without baskets) ¹	1	6 to 9-cup capacity.
	Drip coffee makers ¹	1	6 to 9-cup capacity.
	Roasters (single wall) ¹	1	15" to 19" in length.
	Sauce pans.....	1	1½ to 2½ quart capacity.
	Sauce pots ¹	2	3½ to 8½ quart capacity.
	Steamtable insets ¹	3	To fit openings of 6¼", 8¼" and 10¼" in diameter.
	Steamtable pans.....	2	Manufacturer's choice, to fit rectangular openings only.
	Stock pots ¹	3	15 to 36 quart capacity.
	Tea Kettles ¹	1	4 to 7-quart capacity.
Household enameled ware (Enameled pails, buckets, and tubs, including infants' bathtubs; dish pans and sink strainers; baby bottle sterilizers). Enameled combinetts, commodes, chambers and chamber covers. Hospital enameled ware (Any wash basin, any step-on can insert, and any article designed primarily for hospital or sick room use, including but not limited to, sponge basins, pus basins, solution basins, bed pans, irrigators, dressing jars, instrument trays, instrument sterilizers (without heating elements or stands), urinals, catheter trays, feeding cups and douche pans, but excluding any article in another class in this column).	Dish pans.....	1	10 to 12½ quart capacity.
	Combinetts ¹	1	8 to 12 quart capacity.
	Basin, pus.....	1	9½ to 10½ inches in length.
	Basin, sponge.....	1	6 to 7 inches in diameter.
	Basin, solution.....	1	13 to 13½ inches in diameter.
	Basin, wash.....	1	12 to 12½ inches in diameter.
	Bedpan.....	1	Size and style to be determined by the manufacturer.
	Irrigator.....	1	2 to 2½ quart capacity.
	Jar, dressing ¹	2	2 to 2½ quart and 4 to 4½ quart capacity.
	Step-on can inserts, as may be permitted under Schedule 3 of Order L-214.		
	Sterilizer, instrument (without heating element or stand) ¹	1	18 to 19 inches in length; 4 to 6 inches in depth; 8 to 9 inches in width.
	Tray, instrument ¹	2	Sizes and styles to be determined by the manufacturer.

¹ Metal covers may be made for these articles but not for any others in this table.

[F. R. Doc. 44-456; Filed, January 8, 1944; 11:38 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[General Limitation Order L-30-b, Interpretation 1, Revocation]

Interpretation 1 of Order L-30-b is superseded by paragraphs (c) (4) and (d) of the order as amended January 8, 1944.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-457; Filed, January 8, 1944; 11:38 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-128, Revocation]

USE OF CHROMIUM AND NICKEL IN AUTOMOTIVE VALVES

Section 3292.76, *Limitation Order L-128*, as amended December 18, 1943, is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of automotive valves remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-458; Filed, January 8, 1944; 11:30 a. m.]

PART 1282—BABY CARRIAGES

[Limitation Order L-152 and Schedules, Revocation]

Order L-152 (§ 1282.1), Schedule I (§ 1282.2), Schedule II (§ 3291.287) and Schedule III (§ 3291.288) are revoked. This revocation does not affect any liabilities incurred under the order or schedules. The manufacture and delivery of baby carriages remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-475; Filed, January 8, 1944; 3:45 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-152, Revocation of Schedules II and III]

Note: See Part 1282, *supra*.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, as Amended Sept. 13, 1943, Amdt. 3]

Section 3175.5 *CMP Regulation No. 5* is amended by:

(1) Change the item "II—Batteries, dry cells." to "I—Batteries, dry cell." in the schedule attached to the regulation under the general heading "Electrical Products."

(2) Change the item "II Lighting equipment and accessories, aircraft, airport and marine" appearing in the schedules of the regulation under the general heading "Electrical Products." to read "I Lighting equipment and accessories, aircraft, airport and marine." Add the item "II Lighting equipment and accessories other than aircraft, airport and marine" after the item "I Lighting equipment and accessories, aircraft, airport and marine" appearing in the schedules of the regulation under the general heading "Electrical Products."

(3) Change the item "I Search lights, flood lights, spot lights and parts" appearing in the schedules under the general heading "Electrical Products" to read "I Search lights and flood lights."

(4) Change the item "II Warehouses, public" appearing in the schedules under the general heading "Conduct of the Following Business or Activities" to read "II Warehouses: public: dry and open storage."

(5) Add the item "I, Warehouses, refrigerated; perishable food products" after the item "Warehouses: public: dry and open storage" appearing in the schedules under the general heading "Conduct of the Following Business or Activities."

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-452; Filed, January 8, 1944;
11:38 a. m.]

PART 1001—TIN

[General Preference Order M-43, as Amended
Jan. 10, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M-43*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items or articles are manufactured pursuant to a contract made prior or subsequent to January 9, 1943, or pursuant to a contract supported by an allotment symbol or a preference rating. Insofar as any other order of the War Production Board may have the effect of

limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any material (except tin plate andterne plate as those terms are defined in Supplementary Order M-21-e) which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1940.

(8) "Distributor" means any person, regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(d) *General restrictions on use of tin.*

(1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form shall be used in the manufacture of any item or in any process appearing on List A of this order; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in Schedule 1 of this order, and then, only within the limitations and restrictions specified in Schedule 1 with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* Except with the specific permission in writing of the War Production Board granted pursuant to appeal under paragraph (k), no person shall use any of the tin-bearing products on List B of this order in the manufacture or treating of any other product or article; provided, That when any such tin-bearing product is listed in Schedule 1, it may be used for the purposes for

which it is permitted to be manufactured as specified in Schedule 1.

(f) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of pig tin without the specific authorization in writing of the War Production Board; provided, however, that in the absence of a contrary direction by the War Production Board, pig tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less up to but not exceeding a total of five long tons to any one customer in the same calendar month; provided, That the aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month; and provided further, that any person seeking such a delivery shall, at the time of placing his purchase order, file with the distributor a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose:

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified;

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of any order or regulation of the War Production Board.

(Name of purchaser)

By _____
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination, and the amount of pig tin to be delivered or acquired. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for, and reports of pig tin.* Application for allocations of

pig tin or for specific authorization to accept delivery thereof under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form PD-213 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month, 3,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form PD-213 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin or specific authorization to accept delivery thereof during the next succeeding month.

(i) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the terms of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material, as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 U. S. C. Sec. 80.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. In the absence of special permission to acquire or hold a greater supply of pig tin, forty-five days' inventory of such tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Supplementary Order M-21-e, as from time to time amended. Application for such special permission shall be made by letter to the War Production Board setting forth fully the facts upon which the applicant relies.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports

and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Pursuant to the foregoing order, the use of tin in any form, including semi-finished and finished products, in the manufacture of the items and for the purposes listed below is prohibited:

1. Advertising specialties.
2. Art objects.
3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders except as permitted in Schedule 1, section (6) (x).
4. Band and other musical instruments (except as permitted in Schedule 1 under the item "pipe organs").
5. Britannia metal.
6. Broom wire.
7. Buckles.
8. Buttons.
9. Chimes and bells.
10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks.
12. Foil (except as permitted in Schedule 1 under the item "foil").
13. Zinc galvanizing.
14. Household furnishings and equipment.
15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule 1, sections (10) and (19).
17. Novelties, souvenirs and trophies.
18. Ornaments and ornamental fittings.
19. Pewter and pewter holloware.
20. Plating or coating for decorative purposes.
21. Powder (decorative).
22. Refrigerator trays and shelves.
23. Seals and labels.
24. Slot, game and vending machines.
25. Coated paper.
26. Tin oxide.
27. Toys and games.

LIST B

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders.
2. Tin oxide.
3. Solder containing more than 21% by weight of tin.
4. Babbitt metal or similar alloys used as

babbitt containing more than 12% by weight of tin.

5. Britannia metal, pewter metal or other similar tin-bearing alloy.

6. Foil containing more than 1% tin by weight.

SCHEDULE 1

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in this Schedule, subject to any limitations, restrictions or conditions specified with respect to any such item or purpose, and then, only to the extent that substitution of a less critical material is impracticable:

(1) *Implements of war.* The conditions, restrictions and limitations set forth in this Schedule with respect to any listed item or purpose shall not apply to the manufacture of "implements of war" produced for the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, where the use of tin in the grade and to the extent employed is required by the latest applicable specifications (including performance specifications, unless otherwise directed by the War Production Board) of the government service or agency for which the same are being produced.

(2) *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying or oil drilling operations. Necessary materials to be incorporated in such detonators or blasting caps shall be exempt from the limitations, conditions and restrictions specified in this Schedule with respect to any such material.

(3) *Tin plate, terne plate and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Supplementary Order M-21-e, as from time to time amended, may be manufactured as permitted under the provisions of said Supplementary Order. Terne metal, however, may be manufactured from secondary tin only.

(4) *Collapse tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

(5) *Brass and bronze.* The tin content of brass and bronze alloys shall be limited as follows according to the purposes for which such alloys are to be used:

(a) *Cast alloys.* (1) For the manufacture of high ratio worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or discs, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings, or step bearings—not more than 12% tin by weight.

(2) For the manufacture of heavy, slow cooling castings (such as, for example, steel mill screw down nuts) where for performance characteristics, the alpha-delta eutectoid must be retained—not more than 18% tin by weight.

NOTE: Former paragraph (a) (3) deleted, and former paragraphs (a) (4), (5), (6) redesignated (a) (3), (4), (5), Nov. 3, 1943.

(3) For the manufacture of piston rings for airbrake equipment—not more than 21.5% tin by weight.

(4) For the manufacture of piston rings for locomotives—not more than 20% tin by weight.

(5) For all other purposes, a maximum tin content of 9% by weight, unless the lead content of the alloy is equal to or greater than, the tin content, and in such event, not to exceed 12% by weight.

(b) *Wrought alloys.* (1) For the manufacture of thermostatic discs or diaphragms,

bronze welding rods, fourdrinier warp wire or rifle nuts in air hammers—not more than 9% tin by weight.

(2) For all other purposes—not more than 5.8% tin by weight.

(6) *Solder.* In the manufacture of solder, the tin content shall be limited as follows, according to the purposes for which the solder is to be used:

(i) For the manufacture of open top sanitary cans—not more than 21% tin by weight until January 1, 1944 and then not more than 5% tin by weight.

(ii) For the maintenance and repair of electric motors and generators—not more than 40% tin by weight.

(iii) For the manufacture of agricultural equipment made from galvanized sheet (excluding dairy equipment and dairyware)—not more than 40% tin by weight.

(iv) For the fabrication or repair of galvanized sheet metal air, heat and refrigeration ducts, gutters, downspouts, leaders, and roofing—not more than 30% tin by weight.

(v) For the manufacture and repair of the following dairy and egg processing machinery and equipment as defined in Order L-292: Cheese vats, clarifiers, and separators (milk and egg processing plant sizes only), coolers, heaters and preheaters, dehydrators, fillers, filters, forewarmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans, and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings—not more than 40% tin by weight.

(vi) For the repair of fluid milk shipping containers and other dairy equipment—not more than 30% tin by weight.

(vii) For the manufacture of electrical fuses—not more than 40% tin by weight.

(viii) For the repair and maintenance of automotive radiators—not more than 30% tin by weight, but only in the form of solid wire or cored wire solder.

(ix) For the repair and maintenance of lap and top combs used in the textile industry—not more than 30% tin by weight.

(x) For the repair of automotive bodies and fenders—not more than 3% tin by weight derived from secondary sources only.

(xi) For the repair of gas meters in accordance with Supplementary Order M-43-b, as amended—not more than 38% tin by weight.

(xii) For wiping lead sheathed cable joints or lead pipe joints—not more than 32.5% tin by weight.

(xiii) For use in the manufacture and repair of industrial instruments (as defined in Conservation Order L-134) and their associated control valves—50% tin by weight: *Provided*, That solder of a lower tin content shall be used whenever its use will not cause damage or change the physical or electrical properties of the part soldered.

(xiv) For the installation and repair of water service pipes connecting the piping of a structure with the outside water main—not more than 38% tin by weight.

(xv) For all other purposes, not more than 21% tin by weight.

The total quantity of tin which any person may use in the manufacture of solder during any calendar quarter, beginning January 1, 1943, shall be limited to 50% of the quantity used by him in the manufacture of solder during the base period.

(7) *Babbitt.* In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) For repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings: *Provided in any such case*, That the design of the machine or equipment makes the substitution of lead base babbitt

impossible—not more than 80% tin by weight.

(ii) For manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives—no restriction.

(iii) For repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry: *Provided in any such case*, That any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-38-b, as amended, and that the design of the machine or equipment makes the substitution of lead base babbitt impossible—not more than 80% tin by weight.

(iv) For repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 80% tin by weight.

(v) For manufacture, repair, maintenance or replacement in connecting rod and main engine bearings for motor vehicles of 16,000 pounds or more gross vehicle rating and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-168—not more than 80% tin by weight.

(vi) For all other purposes—not more than 12% tin by weight and only secondary tin shall be used.

The total quantity of tin which any person may use in the manufacture of babbitt metal, or other similar alloys used as babbitt, during any calendar quarter, beginning January 1, 1943, shall be limited to 40% of the quantity used by him for such purposes during the base period.

(8) *Foil.* In the manufacture of foil the tin content shall be limited as follows according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 16% tin by weight.

(ii) Dental foil—not more than 30% tin by weight.

(iii) Foil to be used in condensers—not more than 4½% tin by weight.

(iv) Soft babbitt foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.

(v) Foil for any other purpose—not more than 1% tin by weight and such content shall not be derived from pig tin.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter, beginning January 1, 1943, shall be limited to 35% of the quantity used by him for such purposes during the base period.

(9) *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M-200. Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter beginning January 1, 1943, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, provided only that the amount of tin which any retinner may use during any calendar quarter, beginning January 1, 1943, for the refinishing of dairy equipment, shall be limited to 150% of the quantity used by him for such purposes during the base period.

(10) *Kitchen, galley and mess equipment for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Forest Service of the United States Department of Agriculture.* Tin may be used to coat the foregoing equipment excluding flat ware, to

the extent required by the applicable specifications (including performance specifications, unless otherwise directed by the War Production Board) of the service or agency to which such equipment is to be delivered.

(11) *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of a size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

(12) *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Supplementary Order M-21-e, as amended.

(13) *Printing plates and type metal for use by the printing, publishing and related service industries.* Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, beginning January 1, 1943, shall be limited to 75% of the quantity of tin used by him for such purposes during the base period.

(14) *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

(15) *Pipe organs for religious and educational institutions.* Tin may be used only in the repair or maintenance of such organs and only where and to the extent that the substitution of a less critical material is impossible.

(16) *Bolster metal for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.* The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

(17) *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

(18) *Lead-base alloys for coating sheet or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet or steel wire provided the tin content of any such alloy does not exceed 2.50% by weight and is not derived from pig tin.

(19) *Equipment for preparing and handling food.* In addition to the purposes specified in item (9) of this Schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of equipment, but only to the extent herein indicated:

(i) To coat or to reline articles of equipment used in the process or handling of meat in the meat-packing industry, to the extent that any such article comes into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and

scoops for handling sausage and cooking utensils.

(ii) To coat or retin equipment used in the preparation or handling of any food by institutions or by industrial or commercial establishments, but only such equipment as actually comes into contact with food.

(20) Tin pipe for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe is manufactured shall return to the manufacturer a quantity of used pipe equal in tin content to that of the new pipe delivered to him.

(21) Descaling of metal castings. Tin may be used in descaling of metal castings to the extent specifically authorized by the War Production Board upon application made to it by letter.

[F. R. Doc. 44-524; Filed, January 10, 1944; 11:10 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L-42, Interpretation 1 to Direction 1]

CAST IRON BATHTUBS

The following interpretation is issued with respect to Direction 1 of Limitation Order L-42:

Paragraph (c) of Direction 1 provides that bathtubs manufactured as the direction permits "may be delivered only to fill orders for installation in projects rated by orders in the P-19 and P-55 series, bearing the symbol H-1." This does not mean that a jobber or dealer may get these tubs to replace in his inventory tubs or other equipment he has previously delivered to fill orders bearing the H-1 symbol. It means that delivery to a jobber or dealer may be made only to enable him to deliver the tubs to fill an actual order for installation in a housing project for which the symbol H-1 is used. Consequently, a manufacturer should not accept the symbol alone as evidence of his authority to deliver to a dealer but should demand information to assure himself that the tubs will be installed in an authorized project.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-525; Filed, January 10, 1944; 11:10 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-192 as Amended
Jan. 10, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export, of rubber and other materials used in the production of construction machinery and equipment and repair parts; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.10 Limitation Order L-192.

(a) [Revoked Jan. 10, 1944]

(b) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable Regulations of the War Production Board, as amended from time to time.

(c) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of equipment.

(3) "Equipment" means that construction machinery and equipment listed in Schedules A, B, and D attached hereto, but shall not include any equipment on rubber tired chassis or running gear built for or usable for the transportation of commodities or persons.

(4) "New", when applied to equipment, means any equipment which has never been received or accepted by any person acquiring it for use.

(5) "Repair part" means any part manufactured for use in the repair and maintenance of equipment; but does not include components or attachments which change the functional operations of the equipment as originally shipped.

(6) "War agency" means the Army, Navy, Maritime Commission, War Shipping Administration and the military forces of any foreign country entitled to receive deliveries pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(7) "United States" means the United States of America and its territories and possessions.

(8) "Supplier" means any producer, dealer, distributor or other person engaged in the business of selling equipment or repair parts.

(9) "Dealer or distributor" means any person who is engaged in the business of purchasing equipment or repair parts for the purpose of resale.

(d) Procedure for placing and receiving equipment orders—(1) For Schedule A equipment. No person shall place or accept any order for new equipment listed in Schedule A, except according to the following procedure:

(i) Every person, except a war agency, desiring to place such an order shall file an application for authorization to purchase on Form WPB-1319 in quintuplicate with the War Production Board regional office in the region in which such person desires to use such equipment. Such application when approved by the War Production Board shall establish all conditions under which such order may be placed with the supplier including the assignment of preference ratings if not previously granted.

(ii) Every person, except a war agency, who applies for such equipment by filing Form WPB-1319 thereby makes representation that he has complied with all the terms of Limitation Order L-192 as amended.

(iii) A war agency shall furnish the Construction Machinery Division, War Production Board, Washington 25, D. C. with Form WPB-1319 made out in duplicate at the time that any order for such equipment is placed with a producer.

(iv) No person shall accept an order for such equipment from any person except a war agency, unless such order is accompanied by such authorization on Form WPB-1319.

(2) For Schedule B equipment. Nothing in this order shall prevent any person from placing or accepting an order for new equipment listed in Schedule B, subject to all applicable regulations of the War Production Board.

(3) [Revoked Jan. 10, 1944]

(4) Except as provided in paragraph (e) (2), nothing in this order shall prevent any person from placing or accepting an order for new equipment listed in Schedule D, subject to all applicable regulations of the War Production Board.

(e) Restrictions on production of equipment. (1) No producer shall use or put into process any materials for the production or assembly of

(i) Any new equipment except in accordance with such production schedules as may be approved by the War Production Board as provided in paragraph (f) hereof;

(ii) [Revoked Jan. 10, 1944]

(iii) Any parts to be physically incorporated into new equipment in excess of those required by approved production schedules: *Provided*, That this subparagraph (e) (1) (iii) shall not apply to the production of repair parts or components or attachments;

(iv) [Revoked Jan. 10, 1944]

(2) In addition to such limitations and prohibitions as may be imposed by Order L-217 and all schedules thereto, no producers shall use or put into process any materials for the production or assembly of any equipment listed in Schedule D.

(f) Production schedules. (1) On or before the 15th day of each calendar month, every producer shall file in quadruplicate on Form WPB-1689 a statement of his production for the previous month and his proposed production schedule of all new equipment projected for all additional monthly periods for which production may be planned. Approval or modification of such production schedule of all new equipment for the three calendar months succeeding such filing, or for such shorter time as production may be planned, will be indicated on an approved copy of said Form WPB-1689 returned to such producer prior to the first day of the calendar month succeeding such filing. Except as provided in paragraph (f) (2) hereof, no producer shall change his production schedules as approved or changed by the War Produc-

tion Board without specific authorization of the War Production Board.

(2) Any producer of new equipment listed in Schedule B may produce all or any one or more items of such equipment appearing on his approved production schedules on Form WPB-1689 at any time during the months for which the schedules were approved, and need not therefore in that regard produce in strict accordance or sequence with the individual monthly production schedules approved: *Provided*, That the total quantity of each item produced during such period shall not exceed that authorized on such approved schedules.

(3) In scheduling production of equipment for delivery to persons other than war agencies, it will be the general policy of the War Production Board to allow each producer a quarterly production quota based on the ratio of his production in the period 1937-1941, inclusive, to the total production of all producers during that period. For example, if a producer's production of a particular item during the period 1937-1941, inclusive, was 10% by dollar value of the total production of that item by all producers during that period, it will be the general policy to allow him in each calendar quarter a quota of 10% of the total approved production of that item for persons other than war agencies.

(g) *Inventory reports.* On or before the 15th day of each calendar month, every producer shall file in quadruplicate on Form WPB-1689, a statement of finished unsold inventory, as of the last day of the preceding calendar month, of new equipment including that in the possession of his dealers and distributors. Every dealer and distributor, on the fifth day of the month, shall report his inventory of new equipment as of the last day of the preceding calendar month to the producer from whom such equipment was purchased, or, if not purchased, to the producer for whom the distributor or dealer is acting as agent.

(h) *Prohibiting transfer and use of new equipment.* No producer shall use for other than experimental or demonstration purposes, or sell, lease, trade, lend, deliver, ship or transfer any new equipment unless

(1) [Deleted Jan. 10, 1944]

(2) Such use, sale, lease, trade, loan, delivery, shipment or transfer has been specifically approved by the War Production Board as follows:

(i) On or before November 25, 1942, and on or before the 15th day of each succeeding calendar month, every producer shall file in quadruplicate on Form WPB-1689 a statement showing his proposed delivery schedule of all unfilled orders of new equipment, his shipments made during the calendar month previous to filing, and also his shipments during the current month to the date of filing. Approval of a delivery schedule

of all new equipment for the calendar month succeeding such filing, whether or not such equipment is actually shipped during that month, will be indicated on an approved copy of said form returned to such producer prior to the first day of that month.

(ii) [Deleted Jan. 10, 1944]

(iii) The War Production Board may at any time revoke any delivery authorization provided for in subparagraph (h) (2) (i) above as to any or all new equipment included therein, direct or change the schedule for deliveries of any new equipment, allocate any order for any new equipment listed on a producer's Form WPB-1689 to any other producer, or direct the delivery of any new equipment to any other person, at regularly established prices and terms.

(iv) Except as provided in subparagraph (h) (2) (v) hereof, and notwithstanding any preference rating heretofore or hereafter granted, no producer shall change his schedule of deliveries of any new equipment as approved or changed by the War Production Board, without specific authorization of the War Production Board.

(v) Any producer may deliver any item of new equipment listed in Schedule B to the amount permitted by approved production schedules regardless of his schedule of deliveries of such equipment as listed on his current Form WPB-1689. Such deliveries shall be subject to all applicable Regulations of the War Production Board.

(i) *Restrictions on resale, rental and use.* (1) Every person, except a war agency, to whom delivery of any new equipment listed in Schedule A has been authorized pursuant to this order, must use such equipment on the project described in the authorization to purchase and will be subject to the provisions of paragraphs (i) (2) and (i) (3) hereof.

(2) Every person except a war agency, thirty days prior to the sale, lease or use on any other project of such equipment, shall complete, sign and return Form WPB 1333 to the Used Construction Machinery Regional Specialist in the War Production Board Regional office in the region in which the WPB-1319 was originally approved for such equipment.

(3) The War Production Board at any time on two weeks' written notice, may require any such person who owns such equipment to sell, lease, or use such equipment as directed.

(4) Nothing in this order shall be deemed to affect the applicability of Limitation Order L-196.

(j) *Restrictions on sale and delivery of repair parts.* Suppliers must not sell or deliver repair parts to any person except to fill purchase or delivery orders placed in accordance with one of the procedures described below:

(1) *Repairs for current maintenance.* A supplier may sell or deliver repair

parts to any person if the purchaser certifies that the parts are needed for current maintenance of equipment in sound working condition. A purchaser must not certify that a part is needed for current maintenance unless he expects to use it to replace a worn out part within 30 days after receiving it. The certification must be in substantially the following form: "Authorized under Order L-192". This certification, when used to get repair parts for current maintenance, shall constitute a representation to the War Production Board that the repair parts ordered are needed for that purpose, that they will be required to replace worn out parts within 30 days after delivery, that the purchaser does not have parts on hand or on order for this purpose and that the purchaser has complied with the provisions of Limitation Order L-196 (if the equipment for which the repair parts are sought is subject to the provisions of Limitation Order L-196).

Exception. Repair parts must not be ordered for current maintenance to repair any equipment listed on Schedule A if such equipment was manufactured before January 1, 1930. If the purchase or delivery order is for repair parts for Schedule A equipment manufactured before January 1, 1930, it must be approved on Form WPB-1319. See subparagraph (4) below. These limitations on the purchase of repair parts for equipment manufactured before January 1, 1930, do not apply to the purchase of repair parts for current maintenance of dredges, shovels, cranes, or draglines, with a capacity of 2½ cubic yards and larger.

(2) *War agencies and persons repairing war agency equipment.* A supplier may sell or deliver repair parts to a war agency for direct use by it. A supplier may sell or deliver repair parts to any person who has contracted to repair equipment owned by a war agency if the purchaser certifies that the parts will be used only to repair equipment owned by the war agency. This certification must be given in substantially the following form: "Authorized under Order L-192". The certification in this case shall constitute a representation to the War Production Board that the buyer has contracted to repair equipment owned by a war agency and that the parts ordered will be used only for the repair of that equipment.

(3) *Exports.* A supplier may sell or deliver repair parts for export on any purchase order for \$50 or less if the purchaser certifies that the parts are for export. This certification must be given

in substantially the following form: "Authorized under Order L-192". The certification, in this case, shall constitute a representation to the War Production Board that the parts ordered are for export. If the purchase order is for more than \$50, it must be approved on Form WPB-1319, as explained in the next subparagraph. However, nothing in this order shall be deemed to relieve any person from the necessity of getting an export license from the Foreign Economic Administration where such license is required.

(4) *Specific authorization to buy repair parts.* A supplier may sell or deliver repair parts for any purpose not provided for above if the purchase order has been specifically authorized by the War Production Board. Application for this authorization and for a preference rating, if none has been previously assigned, may be made by filing Form WPB-1319, in quadruplicate, with any Regional or District Office or with the Washington Office of the War Production Board. When a person receives authorization on Form WPB-1319, to purchase repair parts, he may give his supplier the authorization along with his purchase order or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L-192." The certification in this case shall constitute a representation to the War Production Board that the purchase order has been specifically authorized by the War Production Board on Form WPB-1319.

(5) *Sales to suppliers.* Unless otherwise specifically directed by the War Production Board, a supplier may sell or deliver repair parts to another supplier located in the United States or Canada without regard to this paragraph (j).

(6) *Orders received before January 25, 1944.* Suppliers may make delivery of repair parts on any order received before January 25, 1944, if the order has been placed in accordance with paragraph (j) of Order L-192, as amended July 2, 1943.

(k) *Certification.* The certification "Authorized under Order L-192", provided for above, must be signed manually or as provided in Priorities Regulation 7. If the person signing the certification is using a preference rating on the order, he may add the certification "Authorized under Order L-192" to any certification used to apply the preference rating instead of giving two separate certifications. The standard certification of Priorities Regulation 7 must not be used instead of the certification "Authorized under Order L-192", although the stand-

ard certification may be used along with it in applying a preference rating.

(l) *Spares.* Orders for repair parts intended to be used as spares for new equipment listed in Schedule A must be placed with the producer at the same time as the order for such new equipment and must be listed on the Form WPB-1319, on which the new equipment is listed.

(m) *Allocation of repair parts production.* No producer shall deliver to war agencies in any one month any repair part whatsoever in excess of 75% of his sales of that repair part during the month, if the delivery would prevent deliveries of such repair part to fill orders properly placed by other persons. Similarly, no producer shall deliver to other persons in any month more than 25% of his sales of any repair part if the delivery would prevent the filling of orders for delivery of such repair part to war agencies. "Other persons", as used in this paragraph, shall not include dealers or distributors who have ordered repair parts for their stock or inventory. A dealer or distributor, in placing a purchase order with a producer for repair parts for which he has received a customer's order that he is unable to fill out of his stock, may state on his purchase order to the producer whether the repair part is being ordered for a war agency or not. If the repair part is being ordered for a war agency, delivery by the producer on such order shall be considered a delivery to a war agency for the purpose of this paragraph. If the repair part is being ordered for a person other than a war agency, delivery by the producer on the order shall be considered a delivery to "other persons" for the purposes of this paragraph.

(n) *Filling repair parts orders upon specific direction of the War Production Board.* A producer shall, upon the specific direction of the War Production Board on Form WPB-1319, make delivery of any repair part to fill any order specified in such direction. When application has not previously been filed, the person authorized to receive such repair part shall return to the War Production Board a signed copy of Form WPB-1319 as confirmation of the application. However, confirmation copies need not be filed by War agencies.

NOTE: Paragraphs. (o), (p), (q), (r), (s), (t), formerly (k), (l), (m), (n), (o), (p), redesignated Jan. 10, 1944.

(o) *Substitution and conservation of critical materials.* In the manufacture of any item of equipment or repairs parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin,

cadmium, or fabricated rubber products where the use of other less critical materials will not impair the efficiency of operation of such item.

(p) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, purchases, production and sale.

(q) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(r) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(s) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(t) *Communications.* All communications concerning this order, except where specific reference is made therein to the contrary, shall be addressed to Construction Machinery Division, War Production Board, Washington 25, D. C., Ref: L-192.

Issued this 10th day of January 1944.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended Jan. 10, 1944.

Angledozer and modifications thereof
Batchers, construction material
Batching plants, construction type
Bins, construction material, portable
Bins, construction material, stationary
Brooms, contractors rotary
Buggies and carts, concrete hand operated
Buggies and carts, concrete power propelled
Bulldozers and modifications thereof
Chutes, concrete handling
Concrete surfacing machines, highway type
Conveyors, construction material, portable
belt type and for portable plants
Cranes, crawler mounted power
Cranes, tractor mounted power and modifications thereof
Cranes, rubber tired mounted power except freight handling lift trucks
Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those intermediate sizes as indicated in Schedule D (Ref: L-217), and except those sizes of a type designed exclusively for mining and smelting

Crushers, roll, construction aggregates, portable type, except those sizes and types as indicated in Schedule D (Ref. I-217)
 Crushing plants, portable type
 Derricks, guy, contractors and material handling, stationary type
 Derricks, stiff leg, contractors and material handling, stationary type
 Discs, road, harrow type for construction work
 Discs, road, wheel mounted type
 Distributors, bituminous
 Distributors, water (street sprinklers and flushers)
 Ditchers, blade
 Ditchers, ladder
 Ditchers, wheel
 Draglines (see cranes)
 Draglines, slack line
 Draglines, walking
 Dredges and dredge equipment, except mining
 Drilling machines, blast hole drills, churn drill type
 Drilling machines, portable water well, churn drill type
 Drilling machines, rock portable mounted
 Dryers, construction aggregate
 Earth boring machines, vertical auger type (except post hole diggers)
 Excavators (see power shovels)
 Finegraders and subgraders, self-propelled type
 Finishers, concrete paving
 Finishers, bituminous paving
 Finishers and rodding machines for wet concrete
 Forms, concrete road
 Graders, blade or pull type earth moving
 Graders, elevating earth moving
 Graders, self-propelled earth moving
 Graders, under truck type
 Grapples
 Hammers, pile
 Heaters, and circulators, tank car
 Hoists, contractor and material handling exceeding 6,000 pounds line pull at 250 FPM line speed or exceeding 1,300,000 foot pounds effort based on second wrap of cable
 Hoppers, portable concrete
 Jacks, mud
 Loaders, portable bucket (other than drag, flight or scraper type coal conveyors)
 Loaders, portable snow
 Logging arches, tractor drawn
 Maintainers, road
 Maintainers, shoulder
 Mixers, aggregate pulverizer
 Mixers, agitator concrete truck type, except those sizes and types as indicated in Schedule D (Ref. I-217)
 Mixers, concrete truck mounted with elevating towers
 Mixers, concrete construction, above 7 cubic feet except those sizes and types as indicated in Schedule D (Ref. I-217)
 Pavers, concrete
 Plants, stabilizing
 Plants, asphalt, including travel mix type
 Plants, bituminous patch, hot or cold mixer type (more than 10 ton per hour capacity)
 Plows, cable laying
 Plows, snow (rotary and blower types)
 Plows, snow (V and blade types—truck, tractor, grader or railroad mounted, including wings)
 Power control units for tractors (both cable and hydraulic)
 Pumps, concrete, except for well cementing
 Pumps, portable engine or electric-motor-driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply, except those sizes and types as indicated in Schedule D (Ref. I-217)
 Rippers, road

Rollers, road pneumatic tired
 Rollers, road portable
 Rollers, tamping and sheepfoot
 Rollers, road tandem
 Rollers, road three wheeled
 Scarifiers—complete machines not attachments
 Scrapers, carrying and hauling, both drawn and self-propelled, except sizes listed in Schedule D
 Screening plants, portable type
 Shovels, crawler mounted power
 Shovels, rubber tired mounted power
 Shovels, tractor mounted power
 Sprayers, (maintenance units) bituminous material (over 300 gallon capacity)
 Spreaders, concrete paving
 Sweepers, street
 Sweepers, street motor pick-up
 Towers, concrete placing
 Towers, material elevating
 Wagons, crawler trailer (contractors', logging cane, etc.)
 Wagons, logging (wheel type)
 Washing and screening plants, portable type
 Wheels, crawler trailer (complete assemblies)
 Winches, tractor mounted

SCHEDULE B

Backfill tampers
 Breakers, paving
 Buckets, clamshell¹
 Buckets, concrete¹
 Buckets, dragline¹
 Buckets, orange peel¹
 Buckets, scraper (bottomless) for dragline operation¹
 Clay diggers
 Concrete surfacing machines, hand carried type
 Derricks, small stiff leg, guy, pole, tripod, and setter types with hand power hoists or winches of not over 4 ton maximum capacity
 Drills, jack hammer
 Drills, rock, except portable mounted
 Form tamping and pulling machines
 Heaters, asphalt surface
 Heaters, concrete mixer
 Hoists, contractors and material handling, hand type and power driven having specifications not exceeding 6,000 pounds line pull at 200 FPM line speed or not exceeding 1,300,000 foot pounds effort based on second wrap of cable
 Joint and crack filling machines
 Kettles, bituminous heating
 Mixers, concrete construction, 7 cubic feet and smaller; except those sizes and types as indicated in Schedule D (Ref. I-217)
 Mixers, plaster and mortar
 Paving breakers
 Plants, bituminous patch, hot or cold mixer type (10 ton per hour capacity and under)
 Post hole diggers, vertical auger type (power driven)
 Pumps, portable engine or electric motor driven pumping units, mounted on skids, with or without handles, or trailer mounted 90,000 gallons per hour and smaller self-priming centrifugal pumps, plunger pumps, or diaphragm pumps ordinarily used for contractors purposes or by contractors for dewatering and supply, excluding farm type, industrial type and underwriters approved fire fighting pumps; except those sizes and types as indicated in Schedule D (Ref. I-217)
 Screen, rotary, vibrator and gravity types, other than coal, mining, industrial or those for screening mud on well drilling, used as a component part of or replacement for a portable crushing, screening or mashing plant.

¹This item may be purchased as a repair part if it is being purchased to replace a similar item that is worn out.

Sprayers, (maintenance units) bituminous material (300 gallon capacity and smaller)
 Spreaders, construction material
 Vibrators, concrete
 Winches, contractor (see hoists)

SCHEDULE C. [Revoked] Jan. 10, 1944, and items transferred to Schedule A]

SCHEDULE D

The manufacture of items of equipment appearing in Schedule D will be discontinued in accordance with paragraph (e) (2).

Any item to the extent prohibited by any schedule to Limitation Order I-217
 Finegraders and subgraders, drawn type
 Joint levellers
 Scrapers, carrying and hauling, over 15 cu. yd. struck capacity
 Scrapers, drag, fresno and rotary over 27 cubic feet (or one cubic yard) capacity except those under jurisdiction of Limitation Order 257

[F. R. Doc. 44-527; Filed, January 10, 1944; 11:11 a. m.]

PART 1157—CONSTRUCTION MACHINERY EQUIPMENT

[Limitation Order I-192, Revocation of Interpretation 1]

Interpretation 1 to Limitation Order I-192 is hereby revoked.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
 Recording Secretary.

[F. R. Doc. 44-523; Filed, January 10, 1944; 11:11 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order I-192, Direction 1 as Amended Jan. 10, 1944]

REPAIR PARTS FOR CERTAIN LEND-LEASE EQUIPMENT

The following amended direction is issued pursuant to Limitation Order I-192:

The Foreign Economic Administration, and any government agency acting as procurement agent for the Foreign Economic Administration in connection with the acquisition of used construction equipment to be exported for use in open cast coal mining, are hereby assigned a preference rating of AA-1 for repair parts needed to repair, rebuild or recondition such equipment and for spare parts to accompany such equipment. This rating may be applied by any such agency on any purchase order for repair or spare parts for such equipment or on any contract or order requiring the repair, rebuilding or reconditioning of such equipment, whether the work is to be performed by the seller of the equipment or by another person. This rating may be applied or extended in the manner provided in Priorities Regulation 3 or Priorities Regulation 7. In addition to the certification applying or extending the rating, the identifying symbol "I-192—Direction 1" may be endorsed on any contract or order bearing this rating.

The restrictions on the sale and delivery of repair parts, as provided in paragraph (j) of Order I-192, shall not apply to the sale or delivery of repair parts under this direction if the purchase or delivery order bears the identifying symbol "I-192—Direction 1".

All deliveries of repair and spare parts by producers, pursuant to this direction, shall be treated as deliveries to war agencies for the purpose of paragraph (m) of Order L-192.

Issued this 10th day of January 1944.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-526; Filed, January 10, 1944;
11:11 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT¹

[Supplementary Limitation Order L-112-a as Amended Jan. 10, 1944]

INDUSTRIAL POWER TRUCKS

In accordance with the provisions of § 1210.1 *General Limitation Order L-112*, which the following order supplements: *It is hereby ordered, That:*

§ 1226.122¹ *Supplementary Limitation Order L-112-a*—(a) *Approved standard models.* Pursuant to paragraph (d) (2) of Limitation Order L-112, approved standard models of industrial power trucks for each manufacturer named in this supplementary order shall be those models listed below for such manufacturer: *Provided, however,* That notwithstanding any other provision of Limitation Order L-112, as supplemented, no such model shall be manufactured which is not produced in accordance with the following restrictions:

(1) No such model shall be manufactured in more than one size of platform width and length, nor shall any such model contain battery boxes built to accommodate larger capacity batteries than the manufacturer's standard battery for the model; and

(2) No fork truck (other than Army or Navy Ordnance models) having a load capacity rated at less than ten thousand (10,000) pounds shall be manufactured which is not (i) of the tilting, telescopic type and having a standard minimum overall height not in excess of eighty-three (83) inches, and a standard maximum lift height, adopted for such model of fork truck by the manufacturer thereof, except that if any such model of fork truck has a rated load capacity for which one or more alternative (in addition to standard) maximum lift heights are shown in Table I below, then such model of fork truck may also be manufactured with any maximum lift height thus shown and with a standard minimum overall height which may be in excess of eighty-three (83) inches, adopted for such fork trucks by the manufacturer; and (ii) equipped with a standard fork of the length designated in Table I for trucks of such capacity (but this restriction shall not be deemed to prohibit the furnishing of separate fork extensions):

¹ Formerly Part 1210, § 1210.2.

TABLE I

Rated load capacity	Maximum lift height	Fork length
2,000 lb.-----	Standard-----	30"
3,000 lb.-----	Standard or 144"-----	36"
4,000 lb.-----	Standard or 144"-----	36"
6,000 lb.-----	Standard, 144" or 168"-----	42"
7,000 lb.-----	Standard or 144"-----	42"

Any manufacturer who has been engaged, prior to July 10, 1943, in producing fork trucks without standard heights or in heights not permitted by this order, shall determine upon and adopt a standard minimum over-all height and a

standard maximum lift height for each of the approved standard models (and for each of the permitted maximum lift heights which he proposes to furnish in any model) being produced by him, in accordance with this order, within ten (10) days after July 20, 1943 (and for any proposed new model which he may propose to manufacture, within ten (10) days after the listing of such model in this order as an approved standard model); and such manufacturer shall not thereafter commence the manufacture of any model which is not produced in accordance with the standard heights so adopted by him.

Name of manufacturer and approved standard models

NOTE: Table amended Jan. 10, 1944.

Atlas Car & Mfg. Co.-----	HP-3, 3-EA-62, 3-EA-17, 3-DWT-2, 2-WT-2
Automatic Transportation Co.-----	LN-2, LN-3, LO-5, TLN-2, TLN-3, TLO-5, CHTF-2, THTF-L-4, THTF-L-6, THTF-L-6 (Ordnance Model), THTF-L-7, THTF-M-10, TN-4, TN-6, TW-4, TW-6 in platform lengths 36, 48, 60, and 72 inches and heights 6, 7, 9, and 11 inches, P-427, 2000 # crane attachment
Baker-Raulang Co.-----	E-2, E-3, E-5, H-2, H-3, H-5 JOMH-20, JOMH-40, JOMH-60, CXA, CXB, CXP
Bairrett-Gravens Co.-----	Power OX—in platform lengths 48 and 60 inches, widths 19 and 25 inches, and heights 7, 9, and 11 inches.
Berry Motor Car Co.-----	TT3-2NC, FHLT-2, FHLT-3
Buda Co.-----	Chore Boy, Chore Boy-FF
Clark Equipment Co.-----	Favorite, Tops, Plate, Elec-Plate, Stalwart-6025, Elec-Stalwart-6025, Clarkat, Standard, Mill, Transport
Crescent Truck Co.-----	LA-3, NA-4, NA-6, LDLP, NBR-4, NDRE-4, NDRE-6, NORE-4, NORE-6, NCDE-4, NCTE-10, NTW
Dallas Machine & Locomotive Works, Inc.-----	PH-462-130, PH-562-130, PH-662-130, 4MH-4560, 4MH-5170, SMH-4560, SRH-5660, SRH-5770, SRH-5778, SRH-6970, SMH-5170, SRH-4560
Easton Car & Construction Co.-----	HP-4, HP-6, LP-4, LP-6, LL-4, LL-6, LL-6-10, TL-6-10, TLO-4, TLO-6
Elwell-Parker Electric Co.-----	EQ-4, EP-4-11, EP-6, GEP-6, EP-10, ELN-6, ELN-10, F-23, F-19, F-25, C-4, C-X, C-Z, 2000 # crane attachment
John Engelson-----	66B
Erickson Special Equipment Mfg. Co.-----	FT, FA
Harry Ferguson, Inc.-----	Moto-Tug-25, Moto-Tug-40
Hadley & Dye Aircraft Parts Co.-----	Model 101
W. F. Hebard Equipment Co.-----	A-3-Victory, A-14-Victory, J-233, J-233-N, J-233-P
"HE" Manufacturers-----	1646, 1646TV, 2NC, 2NHD, 2GHD C-2T, C-34
Hi-way Service Corp.-----	Drott L
Howell Industrial Truck Co.-----	112, 30, 90, 80-FC, 5
Lansing Co.-----	Models J and R
Lewis-Shepard Co.-----	EFTT3, EFTT4, GFTT3, GFTT4
Lift Trucks, Incorporated-----	EBN-3000 # in platform lengths 38, 44, 50, and 62 inches, EHW-3000 #, EHW-4000 #, EHW-6000 # in platform lengths 44, 50, 62, and 74 inches. All in 6, 7, 9, and 11 inch platform heights.
MacDonald Truck Co.-----	A, B, C
Mercury Manufacturing Co.-----	A-1007, A-1008, A-1020, A-1001, A-1017, A-1018, A-1360, A-1480, A-1540, A-540, Banty
Moto-Truc Co.-----	NMSD-1, WE-1, MT-1, MT-3 MT-5, MT-6—Moto Truck platform in widths 20 and 26 1/2 inches; lengths 36, 48, 60, and 90; heights 6, 7, 9, and 11 inches
Nutting Truck & Caster Co.-----	SCT, SLT, STT
Prescott Iron Works, Inc.-----	Model B
Rocky Mountain Steel Products, Inc.-----	Pony Express-24 volt, Pony Express-32 volt, Pony Express-Gas
Ross Carrier Co.-----	20-H, 18-H, 16-H, 15-H, 12-H, 70-5445, 70-6051, 90-6544, 90-6556, 90-7056, 90-7968, 90-10868
Schwitzer-Cummins Co.-----	F-462
Silent Holst Winch & Crane Co.-----	A, AX, AY, DY, OK
Superior Grinding & Motor Parts Co.-----	STD, HD, TRX
Towmotor Co.-----	LT-40, LT-44, LT-50, LT-56, LT-62, LT-72
Vaughan Motor Co.-----	TAW
Whiting Corp.-----	3-DHLT

Name of manufacturer and approved standard models—Continued

Willamette Hyster Co.....	Karry Krane, Hyster-20, Hyster-75, Space Saver, LI-4569, M-5766, MH-4566, MH-5778, MH-57-108, MH-C370, MH-C378
Wright-Hibbard Industrial Electric Truck Co., Inc.	RBH and TRC in platform widths of 18 or 24 inches, platform lengths of 42 or 53 inches and lowered heights of 6½, 9, or 11 inches in 4000# capacity
Yale & Towne Mfg. Co.....	K20-4, K20-6, KM-4L, K23-E4, K23-E6, K26-S10, K22-4, KM-4H, K-25, K-33, KN30-2M, K41-II, K41-III, K41-V, K42-3-7-65, K42-SH6-78, K42-G10-5½-78, C2-T
Yard-Man, Incorporated.....	C-Truck-Man

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-529; Filed, January 10, 1944;
11:11 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule VII, as Amended Jan. 10, 1944]

WHEELBARROWS

§ 1293.8 *Schedule VII to General Limitation Order L-157—(a) Definitions.* For the purposes of this schedule:

(1) "Wheelbarrow" means a vehicle having one or two wheels pivoted between the end of a pair of shafts formed into handles at the other end and supporting the body of such vehicle. "Wheelbarrow" shall not include any hand truck, dolly, lift truck or platform truck as defined in General Limitation Order L-111, or any construction machinery or equipment as defined in Limitation Order L-192.

(2) "Manufacturer" means any person who manufactures, fabricates or assembles wheelbarrows.

(b) *Simplified practices.* (1) No manufacturer shall manufacture a two wheel wheelbarrow.

(2) After December 21, 1943, no person shall manufacture any wheelbarrow which does not conform to the designations, gauges of trays, maximum capacities and maximum weights set forth in Appendix A, except upon written authorization of the War Production Board. Application for any such authorization should be made by letter addressed to the Building Materials Division, War Production Board, Washington 25, D. C., Ref: L-157, Sch. VII.

(3) On or before December 21, 1943, each manufacturer shall file on Form WPB-1902 (formerly PD-754) with the War Production Board, Building Materials Division, Washington 25, D. C., the catalog number and specifications of each wheelbarrow to be manufactured by him under each designation established in Appendix A hereto. The use of Form WPB-1902 as called for in this paragraph has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

(1) Wood wheelbarrows may be manufactured, fabricated or assembled in any design

or shape. Joining hardware, tray braces and wheel may be made of iron or carbon steel. All other parts shall be made of wood or other non-metallic material.

(2) Steel wheelbarrows shall be manufactured in accordance with the designations, gauges of tray, maximum capacity and maximum weight established in Table I herein:

TABLE I—STEEL TRAY WHEELBARROWS

NOTE: Table I amended Jan. 10, 1944.

Designation	Gauge of steel tray	Maximum capacity		Maximum weight
		Struct	Rated or heaped	
S-21.....	Inclu-sive 16-18	2	3	70.
S-4.....	12-16	3	4	125 incl. reinforcement.
S-6.....	12-16	4½	6	125 incl. reinforcement.
S-17.....	14-16	4	5	85.
S-18.....	14-16	---	6½	120.
S-19.....	14-16	---	10	120.
Coal delivery.	14-16	---	10	120.
Coke handling.	14-16	---	10	120.

Handles. Wood handles may be substituted in lieu of steel handles for S-2, S-4 and S-6 designations. Steel handles may be substituted in lieu of wood handles for S-17, S-18, S-19, coal delivery and coke handling designations.

¹Designations given in the above table are from Simplified Practice Recommendation R165-32, Wheelbarrows, U. S. Department of Commerce, Bureau of Standards, effective April 1, 1932.

²Gauges of steel tray. Gauges are steel manufacturers' standard gauges and are subject to manufacturers' standard tolerances. A manufacturer may use no more than one gauge for each designation.

³S-2 wheelbarrow when furnished with steel handles is equivalent to Type A, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight.

⁴S-4 wheelbarrow when furnished with wood handles is equivalent to Type C, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight.

⁵S-6 wheelbarrow when furnished with steel handles is equivalent to Type B, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight.

⁶S-17, 18, 19 wheelbarrow when furnished with wood handles is equivalent to Type D, Federal Specification KKK-W-291, as amended May 21, 1938, except for maximum weight. A manufacturer may choose sizes only from list of three sizes given in this group.

[F. R. Doc. 44-530; Filed, January 10, 1944;
11:11 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 10, as Amended Jan. 10, 1944]

CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH PRODUCERS

Interpretation 10 is amended to read as follows:

(a) This interpretation deals with the procedure to be followed when a customer,

having placed an authorized controlled material order with a producer, wishes to make changes in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change, if (but only if) the change necessitates alteration of the producers' production schedule to a point which would interfere with production. For example:

(1) The mere substitution of one allotment number for another which does not require alteration of the producer's schedule is not considered to constitute the placing of a new order. The customer must, of course, have an allotment identified by the substituted allotment number to support the change.

(2) A change in shipping destination does not constitute the placing of a new order.

(3) An increase in the total amount ordered constitutes the placing of a new order to the extent of the increase.

(4) An advancement or deferment of delivery, when made by the customer, will constitute entry of a new order.

(5) A reduction in the total amount ordered will presumably not require a change in the producer's schedule and will not constitute a new order. Of course, if the quantity is reduced below a minimum mill quantity, the producer may reject the order and remove it from his schedule; as provided in paragraph (b) (2) (1) of CMP Regulation No. 1, though he must not discriminate between customers in so doing.

(6) When the customer directs the producer to hold or suspend production on an order, without specifying a new delivery date, the order will not be considered as on a producer's books for the purpose of determining his obligation to accept other orders. When the customer instructs the producer to reinstate a suspended order, it shall be considered a new order as of the date of such instruction.

(7) Where minor variations in size, shape, gauge, etc., are requested by the customer and can be arranged by the producer without interfering with his production, such changes do not constitute a new order.

(c) In the case of changes which constitute a new order under this interpretation, the acceptance or rejection of the new order and its place on the producer's schedule shall be governed by conditions existing at the time the changes are received.

(d) This interpretation, as amended, supersedes Interpretation 12 of CMP Regulation No. 1 and CMPB letter 414, which are hereby revoked.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-531; Filed, January 10, 1944;
11:11 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Interpretation 4]

USE OF PRODUCTION MATERIAL RATINGS IN ORDERING NON-CONTROLLED MATERIALS AND COMPONENTS FOR ADVANCE QUARTER DELIVERY

The following interpretation is issued with respect to CMP Regulation 3:

(a) Under paragraph (d) (3) of CMP Regulation 3 a consumer may use the preference rating assigned with an authorized production schedule only to get production materials (other than controlled materials) "in the minimum practicable amounts required to fill such schedules or to replace production

materials in his inventory." This does not prevent placing rated orders for delivery after the quarter for which the allotment of controlled material is made. While an allotment authorizes the ordering of controlled materials for delivery only in the quarter for which the allotment is valid, it is recognized that the production for which controlled materials are allotted may not be completed until a later quarter, if there is a long production cycle or if the controlled materials are received near the end of the quarter. In such cases, non-controlled materials and components may not be needed until a later quarter and the rating may be used to order them for delivery when required. In fact, they must not be ordered for delivery before they are actually needed. Also, where items are taken from inventory in meeting the schedules, replacements may not be needed until a later quarter.

(b) For purposes of using the rating to fill authorized production schedules, a consumer may assume (in the absence of specific information to the contrary), that he will receive authorized production schedules at least big enough to use all the controlled materials he is allotted, and he may place his rated orders accordingly. For example, if a manufacturer of generators which take six months to make has received allotments only through the third quarter of 1944, he may assume that he will receive authorized production schedules for the fourth quarter and the first quarter of 1945 big enough to use up the controlled materials allotted, and he may proceed on this assumption in ordering the non-controlled materials and components which he will need in those quarters.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-518; Filed, January 10, 1944;
11:11 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Revocation of
Direction 1]

CANS

Section 3270.31 Direction 1 to *Conservation Order M-81*, issued December 11, 1943 is hereby revoked. This direction is superseded by Conservation Order M-81 as amended.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-519; Filed, January 10, 1944;
11:10 a. m.]

PART 3270—CONTAINERS¹

[Conservation Order M-115, as Amended Jan.
10, 1944]

COLLAPSIBLE TUBES

Section 3270.39,¹ *Conservation Order M-115*, is hereby amended to read as follows:

§ 3270.39¹ *Conservation Order M-115*—(a) *Applicability of priorities regulations*. This order and all transactions affected thereby are subject to all applicable provisions of the priorities

regulations of the War Production Board, as amended from time to time.

(b) *Definitions*. For the purposes of this order:

(1) "Tube" means any collapsible container in the shape of a tube, including but not limited to any such container made in whole or in part of tin, aluminum, lead, or any combination thereof and includes closures, crowns and caps for such tubes.

(2) "Retailer" means a person who sells or distributes tubes to the ultimate user.

(3) "Ultimate user" means a person who acquires filled tubes for the satisfaction of personal needs (with or without paying any consideration therefor), as distinguished from one acquiring tubes for industrial or other business purposes or for further distribution.

(c) *Restrictions upon the manufacture, sale and delivery of blanks and tubes and upon the use of tubes for packing*. (1) No person shall manufacture or sell tube blanks or tubes, and no person shall purchase, accept delivery of or use any tubes, for packing products except as specifically permitted in the schedules attached to this order.

(2) Packers of commodities listed in the schedules attached to this order are restricted in the quantity of the commodity (by weight) which they may pack in tubes in any calendar year. The packing quotas and the base period for each commodity are shown in the schedules. Commodities packed in tubes sold to the Army or Navy of the United States (including military exchanges or service departments as defined in Priorities Regulation No. 17) or to the American Red Cross, shall not be included either in computing the base period quantity or the packing quota for the current year.

(d) *Conservation of tin*. (1) All manufacturers, packers and users of tubes are requested to conserve tin by using to the greatest extent possible the larger size tubes in place of the smaller size tubes.

(2) No retailer shall sell or deliver any filled tube containing dental cleansing or shaving preparations to any ultimate user unless he receives in exchange a used tube for each tube sold or delivered. The retailer shall deliver all used tubes to the Tin Salvage Institute, 411 Wilson Avenue, Newark, New Jersey, agent for the Metals Reserve Company, or to any person who is a duly authorized representative of the Tin Salvage Institute. No charge shall be made for tubes so delivered, but the cost of delivering them shall be paid for by the Tin Salvage Institute. This exchange requirement shall terminate on March 1, 1944, but retailers will be required to deliver all used tubes on hand as provided herein.

(e) *Exceptions*. (1) Gift kits or combination set boxes containing several items including a tube filled with a dental cleansing or a shaving preparation, the value of which comprises not over 25% of the total value of the package, may be disposed of without taking a used tube in exchange, provided they are delivered or sent by the seller to a member of the armed forces of the United States.

(2) When any military exchange or service department (as defined in Priorities Regulation No. 17) sells or delivers a tube containing a dental cleansing or shaving preparation, a used tube shall not be required to be taken in exchange if the sale or delivery takes place (i) aboard ship, in the Territory of Alaska, or outside the 48 States and the District of Columbia; (ii) at ports of embarkation, induction centers, receiving stations or shipped to newly inducted selectees or enlistees or other persons designated by the commanding officer; (iii) in hospitals under the jurisdiction of the armed forces of the United States. No tubes containing more than 3% of tin shall be sold or delivered under the provisions of this subparagraph.

(3) When the American Red Cross gives away tubes containing dental cleansing or shaving preparations, it will not be required to take a used tube in exchange. Such tubes, however, shall not contain more than 3% of tin.

(f) *Certificates and reports relating to all kinds of tubes covered by this order*—

(1) *Certificate of tube packers*. Each tube packer who purchases any tubes shall furnish to the tube manufacturer from whom he buys, a certificate, in substantially the form attached hereto as Exhibit A. Only one such certificate covering all present and future purchases from a given tube manufacturer need be furnished by a tube packer to that tube manufacturer (who shall retain such certificate), but no tube manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false. No tube manufacturer shall sell any tubes except under contracts or orders validated by the certification required by this paragraph.

(2) *Reports*. Each tube manufacturer and each tube packer shall file such reports as the War Production Board may prescribe for the purpose of effective administration of the order.

(g) *Miscellaneous provisions*—(1) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(2) *Violations*. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Sales of tin*. No person shall hereafter sell or deliver tin to any tube manufacturer or tube packer if he knows or has reason to believe that such tin is to be used in violation of the terms of this order.

(4) *Communications to the War Production Board*. All reports required to be filed hereunder and all communications concerning this order, shall, unless

¹ Formerly Part 1147, § 1147.1.

otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C. Ref: M-115.

(5) *Effect of other orders.* Insofar as any other order of the War Production Board heretofore or hereafter issued limits or curtails to a greater extent than

herein provided the use of any material used in the production of tubes, the limitations of such order shall control.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

Products	Packing quota	Tube material
1. Ointments and other preparations for ophthalmic use.	Unlimited	Tin, Aluminum, Lead, or any combination thereof.
2. Sulfa drugs in ointment or jelly form.	Unlimited	Do.
3. Diagnostic extracts (allergens).	Unlimited	Do.
4. Morphine for hypodermic injection.	Limited to tubes containing individual doses only and sold directly to the Army or Navy of the U. S.	Do.

SCHEDULE II

1. (a) Medicinal and pharmaceutical ointments not included in Schedule I.	Unlimited	Aluminum, or Lead and Tin (the content of tubes not to exceed 75% by weight).
(b) Preparations which are intended for introduction into the body orifices (nasal, vaginal, rectal, surgical jelly, etc.) not included in Schedule I.	Unlimited	Do.

SCHEDULE III

Dental cleansing preparations	75% of the product (by weight) packed in 1941.	Aluminum, or Lead and Tin (the content of tubes not to exceed 75% by weight).
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SCHEDULE IV

Any product	Unlimited	Lead (containing not more than 0.5% tin as an impurity, derived from secondary sources).
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EXHIBIT A

TUBE PACKER'S CERTIFICATE

Certificate required by paragraph (f) (1) of Conservation Order M-115. One copy of this certificate is to be delivered to each tube manufacturer from whom the tube packer purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-115 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

(Legal name of tube packer)

By _____
(Authorized official)

(Title of official reporting)

[F. R. Doc. 44-520; Filed, January 10, 1944;
11:10 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS
[Conservation Order M-361, Direction 2]

PURCHASES OF SOUTHERN YELLOW PINE
LUMBER THROUGH WHOLESALERS

The following direction is issued in accordance with Order M-361, paragraph (d). It tells how orders placed through wholesalers can be approved on Form WPB-2720 in cases where, because of the number of producers the wholesaler buys

No. 7—4

from and the uncertainty of deliveries from them, it is not feasible to designate producers on the form.

(a) Any person who wants to buy restricted Southern yellow pine lumber through a wholesaler may obtain his requirements under this direction instead of as specified in Order M-361, paragraph (b). In filling a Form WPB-2720 he need not show the name of the producer, but only the name of the wholesaler with whom he has placed his order. He must state that he is applying under Direction 2 in the space provided for the name of the producer. On the back of the form he must show that his order has been accepted by the wholesaler named. The purchaser must file a separate application for each wholesaler with whom orders have been placed.

(b) Any wholesaler who has received an order approved on Form WPB-2720 may order restricted Southern yellow pine lumber from one or several producers in a total amount not exceeding the amount authorized. He may endorse on his purchase order or contract the following certificate:

All restricted Southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to deliver an amount authorized on Form WPB-2720. WPB Case Number _____, and delivery may be made without regard to the limitations of paragraph (b) on deliveries by producers.

(Wholesaler)

Any producer may call, ship or deliver restricted Southern yellow pine lumber to fill any order supported by the above certificate, just as if the order were certified in the manner prescribed by paragraphs (b) (1) or (b) (2) of Order M-361. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms

and conditions of M-361 with respect to certified orders, so far as applicable.

(c) "Wholesaler" for the purposes of this direction means a person who buys lumber from producers for resale but who does not himself receive, process, or store the lumber obtained under this direction.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-522; Filed, January 10, 1944;
11:10 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS
[Conservation Order M-361, Direction 2]

PURCHASES OF HARDWOOD LUMBER THROUGH
WHOLESALERS

The following direction is issued in accordance with Order M-361, paragraph (d). It tells how orders placed through wholesalers can be approved on Form WPB-2720 in cases where, because of the number of producers the wholesaler buys from and the uncertainty of deliveries from them, it is not feasible to designate producers on the form.

(a) Any person who wants to buy restricted hardwood lumber through a wholesaler may obtain his requirements under this direction instead of as specified in Order M-361, paragraph (b). In filling a Form WPB-2720 he need not show the name of the producer, but only the name of the wholesaler with whom he has placed his order. He must state that he is applying under Direction 2 in the space provided for the name of the producer. On the back of the form he must show that his order has been accepted by the wholesaler named. The purchaser must file a separate application for each wholesaler with whom orders have been placed.

(b) Any wholesaler who has received an order approved on Form WPB-2720 may order restricted hardwood lumber from one or several producers in a total amount not exceeding the amount authorized. He may endorse on his purchase order or contract the following certificate:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to deliver an amount authorized on Form WPB-2720. WPB Case Number _____, and delivery may be made without regard to the limitations of paragraph (b) on deliveries by producers.

(Wholesaler)

Any producer may call, ship or deliver restricted hardwood lumber to fill any order supported by the above certificate, just as if the order were certified in the manner prescribed by paragraphs (b) (1) or (b) (2) of Order M-361. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable.

(c) "Wholesaler" for the purposes of this direction means a person who buys lumber from producers for resale but who does not himself receive, process, or store the lumber obtained under this direction.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-523; Filed, January 10, 1944;
11:10 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356 as Amended Jan. 10, 1944]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.326 *General Conservation Order M-356*—(a) *Definitions*. (1) "Nylon" means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc.

(2) "Nylon waste" means waste, noils and garnetted or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, braiding or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) *Restrictions on nylon*. (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery or commercially use nylon contrary to any restriction of the War Production Board.

(c) *Restrictions on nylon waste*. No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon flake. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

(d) *Definitions*. (1) "Rayon fabrics" mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cuprammonium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combinations or blends containing more than fifty-one per cent or more by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and jacquard woven fabrics.

(2) "Producer" means a person who wove, or caused to be woven for him on commission, an average of more than 25,000 yards of rayon fabrics per week during the three months' period ending September 30, 1943. Wherever the words "his total yardage production" or "produced by him" are used in paragraph (e), they refer to the yardage of rayon fabrics manufactured for, as well as by, the producer.

(3) "Procurement orders" mean orders for rayon fabrics placed by the Army or Navy of the United States (including

military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priority Regulation 17), the Maritime Commission or War Shipping Administration.

(4) "Export orders" mean orders for rayon fabrics bearing a preference rating of AA-5 or higher, upon which there is endorsed a certification in substantially the following form:

The undersigned purchaser hereby represents that the item(s) hereby ordered are for export under license number _____, and pursuant to General Conservation Order M-356.

Name of person

Duly authorized official

(e) *Export of rayon yarn*—(1) *Establishment of export quotas*. An export quota system is hereby established for the producers of fine rayon yarn as defined in General Preference Order M-37-d. Such export quotas will be established from time to time by the War Production Board within which quotas the Foreign Economic Administration will be authorized to assign preference ratings. On and after January 1, 1944, and until further notice from the War Production Board, each producer of fine rayon yarn shall, notwithstanding any preference rating which may be served upon him, each day set aside to the extent that he possesses active spindles, an amount of such yarn equal to the production of 4% of the total number of his active spindles producing viscose yarn and 2% of the total number of his active spindles producing acetate yarn. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule. No producer of fine rayon yarn shall be compelled to export or accept an order for export of fine rayon yarn under export license granted by the Foreign Economic Administration in excess of the export quota so established for him: *Provided*, That no such producer shall be prohibited from exporting or accepting an order for export of fine rayon yarn in excess of such quota, unless specifically prohibited by the War Production Board.

(2) *Disposition of export yarn not booked or delivered*. All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (a) and which has not been delivered or booked during said month, shall be immediately available for sale to any person otherwise eligible to purchase such yarn.

(3) *Effective date*. This paragraph (e) shall take effect January 1, 1944.

(f) *Establishment of export quota for rayon fabrics*. (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export quotas will be fixed from time to time by the War Production Board.

Until further notice from the War Production Board, each producer must accept and fill export orders for rayon fabrics until they aggregate for the current calendar quarter four per cent of his total yardage production of rayon fabrics (excluding yardage produced by him to fill procurement orders) during the preceding calendar quarter. No producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. (However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.)

(2) *Unfilled export quota to be carried over to next quarter*. If a producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion shall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the restrictions of this order.

Miscellaneous Provisions

NOTE: Paragraph (g), formerly (d), redesignated Jan. 10, 1944.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M-328, as amended from time to time.

(2) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports*. Each producer of rayon fabrics shall forward to the War Production Board each week a copy of every export order accepted by him during the week. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations*. Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: Paragraph (5), formerly (3), redesignated Jan. 10, 1944.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-356.

Issued this 10th day of January 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-521; Filed, January 10, 1944;
11:10 a. m.]

Subchapter C—Director, Office of War Utilities

PART 4500—POWER; WATER, GAS, AND
CENTRAL STEAM HEAT

[Utilities Order U-7 (formerly L-31), General
Directive 1, as Amended Jan. 8, 1944]

Whereas, because of an increasing shortage of natural gas in the Appalachian area, the following restrictions upon deliveries, acceptance and use of natural gas in such area are necessary to protect gas deliveries to war industries and essential services:

Now, therefore, pursuant to the provisions of paragraphs (b) (1) and (c) (1) of Utilities Order U-7, it is ordered and directed:

§ 4500.16 *General Directive 1 under Utilities Order U-7.* (a) The Appalachian area shall be deemed an area in which a gas shortage exists, within the meaning of paragraphs (b) and (c) of Utilities Order U-7.

(b) Commencing January 12, 1944 and until March 31, 1944, except as otherwise ordered by the War Production Board, no utility or non-utility supplier in the Appalachian area shall make deliveries of natural gas to any commercial or industrial consumer having standby facilities capable of utilizing a fuel other than natural gas or liquid petroleum gas, except to the extent that the fuel requirements of any such consumer cannot be supplied by such standby facilities: *Provided*, That any additional curtailments which are necessary shall be made in accordance with the provisions of paragraph (c) (1) of Utilities Order U-7.

(c) No consumer to whom deliveries of natural gas are prohibited by para-

graph (b) above, shall accept any such deliveries.

(d) As used in this directive, Appalachian area shall include the States of Virginia, West Virginia, Maryland, Ohio, Pennsylvania, New York, the District of Columbia, and the following counties of the State of Kentucky: Bourbon, Boyd, Bracken, Bullitt, Campbell, Carter, Clark, Fayette, Floyd, Franklin, Greenup, Hardin, Harrison, Jefferson, Johnson, Kenton, Knott, Lawrence, Lewis, Martin, Mason, Magoffin, Meade, Menifee, Montgomery, Morgan, Pendleton, Pike, Scott, Shelby, and Woodford.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WFB Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1, as amended May 15, 1943, 8 F.R. 6727)

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-453; Filed, January 8, 1944;
11:38 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 82]

SALES TO DEALERS FOR RESALE OF SCRAP,
WASTE AND USED MATERIALS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1305.109 *Sales to dealers for resale, by the War Department, the Department of the Navy, or the Procurement Division of the Treasury Department, of scrap, waste and used materials:—(a) Exemption of scrap metals.* No price regulation of the Office of Price Administration shall apply to sales or deliveries of scrap metals by the War Department, the Department of the Navy, or the Procurement Division of the Treasury Department to dealers in such materials purchasing for resale: *Provided*,

(1) That the dealer certifies to the Army, Navy or Procurement Division in his bid, quotation or otherwise that he is purchasing such materials for resale and that in reselling he will not exceed the applicable Office of Price Administration maximum prices, and

(2) That the selling officer has no reason to doubt the accuracy of the certificate.

(b) *Exemption from liability for sales and deliveries of used, waste and scrap materials (excepting scrap metals).* The War Department, the Department of the Navy, and the Procurement Division of the Treasury Department, and any officer, employee or agent thereof, shall be relieved of all liability, civil or criminal,

*Copies may be obtained from the Office of Price Administration.

provided in any price regulation or by the Emergency Price Control Act of 1942, as amended, in respect of sales of deliveries of used, waste and scrap materials (excepting scrap metals) to dealers in such materials purchasing for resale: *Provided*,

(1) That the dealer certifies to the Army, Navy, or Procurement Division in his bid, quotation or otherwise, that he is purchasing such materials for resale, that the prices offered, contracted for, or paid, do not exceed the applicable Office of Price Administration maximum prices, and that in reselling he will not exceed the applicable maximum prices, and

(2) That the selling officer has no reason to doubt the accuracy of the certificate.

(c) *Certain transactions not affected by this supplementary order.* The exemptions from the General Maximum Price Regulation¹ of used, waste and scrap materials sold by the War and Navy Departments and by the Procurement Division of the Treasury Department, continue to apply and are not limited by this Supplementary Order No. 82.

Specific price regulations now in effect or subsequently issued covering various used, waste and scrap materials shall continue in all respects to apply, except that sales of such materials to dealers for resale, by the War Department, the Navy Department, and the Procurement Division of the Treasury Department, shall be subject to this Supplementary Order No. 82.

(d) *Availability to Office of Price Administration of war procurement agencies' records.* The War Department, the Department of the Navy, and the Procurement Division of the Treasury Department will make available to any accredited official or employee of the Office of Price Administration copies of bids, quotations and contracts subject to this Supplementary Order No. 82.

(e) *Definitions.* As used herein, the term "price regulation" means a price schedule effective in accordance with the provisions of section 203 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order heretofore or hereafter issued thereunder.

As used herein, the term "materials" includes, but is not limited to, all commodities and parts thereof.

This Supplementary Order No. 82 shall become effective January 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 73rd Cong.; E.O. 9259, 7 F.R. 7671)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-423; Filed, January 7, 1944;
4:43 p. m.]

¹8 F.R. 3036, 3249, 4347, 4493, 4724, 4973, 4943, 6347, 6362, 8311, 8025, 9391, 11935, 13722.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,¹ Amdt. 23]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the insertion of Table 4, Appendix C, as follows:

TABLE 4

Area. Part or all of the States of Texas, Oklahoma, and Louisiana by zones as listed below:

Zone 1: The entire State of Texas.

Zone 2: The entire State of Oklahoma.

Zone 3: In the State of Louisiana the parishes of Caddo, Bossier, Webster, Claiborne, Bienville, Red River, De Soto, Sabine, Natchitoches, Vernon, Beauregard, Allen, Calcasieu, Jefferson Davis, Cameron, Union, Lincoln and Jackson.

Species. The following commercial species: Sycamore (*Platanus occidentalis*), Hackberry (*Celtis occidentalis*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), Tupelo Gum (*Nyssa aquatica*).

All commercial species of the following genera: Cottonwood (*Populus*), Pine (*Pinus*), Ash (*Fraxinus*), Basswood and Lynn (*Tilia*), Oak (*Quercus*), Box Elder and Maple (*Acer*), Beech (*Fagus*), Birch (*Betula*), Honey Locust (*Gleditsia*), Elm (*Ulmus*), Magnolia (*Magnolia*), Pecan (*Hicoria*), and Willow (*Salix*) as well as all other species.

Scaling and grading rules. a. All logs will be measured with the Doyle-Scribner log rule. The diameter shall be measured at the small end of the log at the smallest diameter. Hardwood logs shall be measured inside the bark while Pine logs shall be measured from the inside of one bark to the outside of the other bark.

b. All logs will be purchased on a woods-run basis except in the case of those logs covered by Maximum Price Regulation No. 313. Thus, no log lower in quality than a Prime grade log can be purchased at a price higher than that established on a woods-run grade.

c. A woods-run of logs shall consist of hardwood logs 12" and up in diameter, and pine logs 8" and up in diameter as produced from the forest that are better than culls. When any small sized or low quality logs have been removed from the run of logs, the remaining logs may still be sold at the woods-run price. A cull shall be considered as any log where the net board feet scale after deductions have been made for defects is less than 50 percent of the gross board feet scale. Logs shall be cut in standard lengths as specified by the buyer. The minimum length of log acceptable shall be 30 inches. All logs must be cut at least 4 inches over length to allow for trim. All logs that are not cut at least 4 inches over length shall be reduced in length to the next lower standard length.

d. Logs must be cut from woods-run of live timber. Dead, poisoned and hollow timber will be culled out as worthless.

e. All unsound and unusable wood must be deducted by allowance in measurement.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 3670, 5163, 5565, 6356, 8751, 9515, 10023, 11214, 12797, 13937.

PRICES PER M FEET LOG SCALE

	Pine	Cottonwood	Hardwoods and all other species
Zone 1.....	\$22.50	\$23.50	\$22.50
Zone 2.....	21.00	21.00	21.00
Zone 3.....	20.50	21.00	21.00

a. These prices shall prevail f. o. b. railroad cars at rail siding or for logs delivered to the mill by truck from within 25 miles. If logs are delivered to the mill by truck from a distance in excess of 25 miles, a sum not to exceed 10¢ per M feet log scale may be added for each additional load mile.

b. If the buyer takes delivery at some place other than on railroad cars or at his plant, the maximum prices must be reduced by either of the following:

1. The cost to the buyer of trucking logs to the closest rail siding and loading on cars if delivery to mill is by rail.

2. The cost to the buyer of trucking logs to his plant if delivery to mill is by truck.

c. If logs are delivered to a rail siding and not loaded on cars, the buyer must deduct from the ceiling price the cost of loading on cars.

d. The prices herein established will prevail for the purchase of logs produced in the area described above and will prevail for all buying plants purchasing logs in these areas whether or not the buying plants are located in the area.

e. If the logs are peeled by the seller, \$2.00 per thousand feet log scale may be added to the above prices.

This amendment shall become effective January 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-426; Filed, January 7, 1944; 4:49 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,¹ Amdt. 24]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348, Appendix G, Table 4 is amended to read as follows:

TABLE 4

(Northwestern Arkansas and Oklahoma)

Area. The State of Oklahoma and part of the State of Arkansas by zones as follows:

Zone 1: The entire State of Oklahoma.

Zone 2: In the State of Arkansas, the counties of Crawford, Washington, and Benton.

Species. Chemical cordwood of elm, oak, ash, hickory, dogwood and willow species.

Scaling and Grading Rules. The basis of measurement shall be the cord of 128 cubic feet. Willow wood shall not exceed 5" in

¹ 8 F.R. 16115, 16198, 16204, 16297.

diameter. All wood exceeding 8" in diameter must be split.

Maximum Prices.

Zone 1: \$10 per cord of 128 cubic feet, delivered to the mill.

Zone 2: \$6.00 per cord of 128 cubic feet for oak, elm, ash, hickory, and dogwood, f. o. b. cars or delivered to the mill by truck; \$9.00 per cord of 128 cubic feet for willow wood not debarked f. o. b. cars or delivered to mill by truck.

\$12.00 per cord of 128 cubic feet for willow wood debarked f. o. b. cars or delivered to mill by truck.

This amendment shall become effective January 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-422; Filed, January 7, 1944; 4:48 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 473,¹ Amdt. 5]

MAXIMUM PRICES FOR PACKERS AND CERTAIN OTHER SELLERS OF FRUIT PRESERVES, JAMS AND JELLIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 473 is amended in the following respects:

1. Section 2 (c) (2) (ii) (d) is redesignated section 2 (c) (2) (ii) (e) and amended to read as follows:

(e) The "applicable base period" prescribed in subdivision (a), (b), (c) or (d) for the variety which predominates by weight, in the case of any mixed flavor.

2. A new section 2 (c) (2) (ii) (d) is added to read as follows:

(d) The months of November and December, 1943, and January 1944, for packed Concord grape juice and packed Concord grape pulp.

3. Section 15 (c) is amended to read as follows:

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

4. Section 15 (d) is added to read as follows:

(d) *Licensing.* The provisions of Licensing Order No. 1,² licensing all persons who make sales under price control, are applicable to all sellers subject to this schedule or regulation. A seller's license may be suspended for violations of the license or one or more applicable

¹ 8 F.R. 13104, 13846, 15257, 16129.

² 8 F.R. 13240.

price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

This amendment shall become effective January 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-421; Filed, January 7, 1944;
4:48 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 182, Amdt. 10]

KRAFT WRAPPING PAPER AND CERTAIN BAG PAPER AND CERTAIN BAGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 182 is amended in the following respects:

1. In § 1347.301 (a) the figure "30" appearing after each of the following grades is amended to read "40":

Standard Kraft wrapping paper
No. 1 Kraft wrapping paper
Superstandard Kraft wrapping paper

2. Section 1347.301 (b) (4) (ii) is amended to read as follows:

(ii) For grades other than imitation Kraft wrapping paper, standard and No. 1 unbleached Kraft butchers wrapping paper, Standard Kraft wrapping paper, No. 1 Kraft wrapping paper and Superstandard Kraft wrapping paper:

3. Section 1347.301 (b) (4) (iii) is added to read as follows:

(iii) For Standard Kraft wrapping paper, No. 1 Kraft wrapping paper and Superstandard Kraft wrapping paper:

For basis weights which are less than 40 lb., there may be added 5¢ per cwt. for each lb. below 40 lb. down to and including 30 lb. basis weight; and 10¢ per cwt. for each lb. below 30 lb. basis weight down to and including 25 lb. basis weight; and 20¢ per cwt. for each lb. below 25 lb. basis weight down to and including 18 lb. basis weight.

This amendment shall become effective January 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-424; Filed, January 7, 1944;
4:49 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319, Amdt. 10]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1910 (c) of Maximum Price Regulation No. 319 is amended to read as follows:

(c) *Modification of maximum prices.* Whenever a maximum price calculated and reported under this regulation is apparently based upon a miscalculation or appears to be excessive, the Office of Price Administration may require the filing of data supporting the price as calculated and reported. After a maximum price has been calculated and reported it may not be changed except by the written consent of the Office of Price Administration which will be given only in cases of excusable clerical error or other mistake.

This amendment shall become effective January 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-419; Filed, January 7, 1944;
4:47 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[MPR 116, Corr. to Amdt. 5]

CHINA AND POTTERY

The heading and first sentence of subparagraph (2) to § 1362.61(c) is corrected to read as follows:

(2) *Reporting of maximum prices for articles priced under subdivision (iii).* Prior to first offering the article for which a maximum price is established by subdivision (iii) of this paragraph (c) (1) for sale, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report applying for specific authorization of a maximum price.

This correction shall become effective as of December 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-425; Filed, January 7, 1944;
4:49 p. m.]

* 8 F.R. 1808, 2719, 2720, 3840, 7196, 10539, 13339.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 32]

FINISHED PIECE GOODS IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 60 is added to read as follows:

SEC. 60. *Maximum prices for finished piece goods at wholesale and retail.* (a) To what commodities and transactions this section applies.

(1) *What commodities are covered.* This section applies to all finished piece goods 12" or more in width. These are classified as follows:

(i) *Woolen or worsted fabrics.* This classification includes all finished piece goods composed of 5% or more of woolen fibre.

(ii) *Dress goods.* This classification includes all finished piece goods commonly used for dress or other garment making except the following: Woolen or worsted fabrics, canvas, denim, cotton duck, cotton drill, men's shirting chambray, work clothing sueded, whipcord, khaki, buckram, cotton jean, lining materials, sateen, terry cloth, cotton twill, cotton flannel and flannelette, belting cloth, moleskin and coutil.

(iii) *Table damask.* This classification includes finished piece goods commonly known as table damask.

(iv) *Upholstery and drapery fabrics.* This classification includes all finished piece goods commonly used for upholstery and for draperies and includes repp, monk's cloth, damask, cretonne, brocade, mohair, brocades, tapestry, novelty upholstery fabrics and chenille, but does not include denim, canvas, blackout cloth, ticking, buckram, burlap, lining materials, sateen, automobile upholstery and top material, window shade cloth and awning materials.

(v) *Curtain materials.* This classification includes all finished piece goods commonly used for curtains and includes marquisette, net scrim, lace and dotted swiss, but does not include oil cloth, kitchen cloth, shower cloth, gauze, mosquito netting and cheesecloth.

(vi) *All other fabrics.* This classification includes all finished-piece goods not included in any of the foregoing classifications and includes finished piece goods commonly used for utility or household purposes such as oilcloth, kitchen cloth, shower cloth, canvas, denim, cotton duck, cotton drill, men's shirting chambray, work clothing sueded, whipcord, khaki, waterproof sheeting, blackout cloth, sheeting, towelling, casing, gauze, ticking, unbleached muslin,

*Copies may be obtained from the Office of Price Administration.

* 8 F.R. 5383, 6359, 6349, 7209, 7457, 8384, 8350, 10270, 10699, 10324, 11247, 11437, 11649, 12239, 13023, 13342, 13509, 14133, 14335, 14638, 15253, 15363, 15351, 15352, 15352, 16369, 16397, 17201.

mosquito netting, cheesecloth, awning material, buckram, burlap, cotton jean, lining materials, sateen, terry cloth, cotton twill, cotton flannel and flannelette, diaper cloth, belting cloth, bunting, table and laundry felt, moleskin, coutil, buff cloth, filter press cloth, auto upholstery and top material, window shade cloth, and similar materials.

(2) *What transactions are covered.* This section applies to all sales by converter-jobbers and sales at wholesale and retail of the finished piece goods described in subparagraph (1) above.

(3) *Effect upon General Maximum Price Regulation for Hawaii and other maximum price regulations.* The provisions of this section supersede the provisions of the General Maximum Price Regulation for the Territory of Hawaii,² General Order No. 49, and all other maximum price regulations issued by the Office of Price Administration, except as hereinafter provided, with respect to sales at wholesale and at retail in the Territory of Hawaii of the finished piece goods set forth in subparagraph (1) above.

(b) *Maximum prices for sales at wholesale.* The maximum prices, at wholesale for finished piece goods shall be:

(1) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class I purchaser, the maximum price shall be an amount equal to the sum of the invoice price less all discounts and allowances except cash discounts up to 2% and the "landing costs" (as defined in paragraphs (f) or (g)), multiplied by 1.22. The wholesaler or jobber must have in his possession proof that he purchased as a Class I purchaser before taking the markup provided by this section. Such proof may be in the form of a notation on the invoice by the converter.

(2) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a local wholesaler or jobber, the maximum price shall be the same as the maximum price of the local wholesaler or jobber from whom he purchased.

(3) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class II purchaser, or has purchased from a mainland wholesaler or jobber, the maximum price shall be an amount equal to the sum of the invoice price less all discounts and allowances except cash discounts up to 2% and the "landing costs" (as defined in paragraph (f) or (g)), except in the case of woolen or worsted fabrics sold to custom tailors. In such case the maximum price shall be determined by the pricing formula provided in paragraph (b) (1) above.

(4) *Inability to price finished piece goods.* Any person who is unable to determine price for finished piece goods under subparagraph (1), (2) or (3) above shall apply to the Office of Price Administration, Honolulu, Hawaii, for the determination of the maximum price.

(c) *Maximum prices for sales by converter-jobbers.* The maximum prices for a sale by a local converter-jobber of finished piece goods which he finishes or causes to be finished for his account shall be the maximum price established for each converter-jobber upon his application to the Office of Price Administration, Hawaii Territorial Office. The application of a converter-jobber for the establishment of such maximum prices must show:

- (1) The basic grey goods cost.
- (2) The grey freight.
- (3) Working allowance.
- (4) Finishing cost.
- (5) Put-up charges.
- (6) The "landing costs" (as defined in paragraph (f) or (g)).

With the exception of "landing costs", the foregoing items of cost shall be determined in the manner specified in Maximum Price Regulation 127,³ as now or hereafter amended.

(d) *Averaging of prices by converter-jobber, wholesalers or jobbers.* Where a converter-jobber finishes or causes to be finished for his account or a wholesaler or jobber purchases various colors of the same pattern or style, and where the maximum prices for such colors vary, or where maximum prices for separate lots of same pattern or style vary, the converter-jobber, jobber or wholesaler may after computing the maximum price for such color, or lot, determine and use as his maximum price for the entire pattern or style a weighted average of such varying prices.

(e) *Premiums allowed wholesalers—*

(1) *Sales of cut lengths.* A premium not in excess of 10% of the applicable maximum price may be charged on the sale of cut lengths provided that such cut lengths are cut from a larger piece by the wholesaler to fill a specific order.

(2) *Sales of woolen or worsted fabrics, lining materials, and canvas to custom or merchant tailors.* (i) A premium not exceeding 10% of the applicable maximum price may be charged on the sale of full lengths.

(ii) A premium not exceeding 20% of the applicable maximum price may be charged on the sale of cut lengths.

(iii) A premium not in excess of 30% of the applicable maximum price may be charged on the sale of cut lengths of 15 yards or less when the woolen or worsted fabric is purchased by a local wholesaler from a converter.

(iv) A premium not exceeding 40% of the applicable maximum price may be charged on the sale of cut lengths of 15 yards or less when the woolen or worsted fabric is purchased by a local wholesaler from a mainland jobber.

(f) *"Landing costs".* For articles imported from outside the Territory of Hawaii "landing costs" shall be the total of the following amounts:

(1) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery, to the mainland port of shipment (including Federal transportation tax and terminal

charges) not in excess of public (common or contract) carrier rates.

(2) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storage and insurance in connection therewith in excess of three months shall not be included.

(3) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(4) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount Territorial tolls and tonnage taxes as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included but the type of coverage is at the discretion of the buyer and seller.

(5) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to warehouse, computed at a rate not in excess of \$1.20 per ton, weight or measurement, provided that the commodity is moved from the dock at the wholesaler's expense.

(g) *"Landing costs" in cases of inter-island shipments.* In the case of finished piece goods originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory, the "landing costs" in the island of final destination for sale at wholesale shall be:

(1) An amount equal to the "landing costs" at the island from which the article was shipped, calculated under paragraph (f) above.

(2) An amount equal to cartage charges for cartage from the warehouse to the dock in the island from which the article was shipped, calculated at the rate set forth in paragraph (f) (5), above, whether or not such cartage charges are actually incurred but in no event shall such cartage charges exceed public (common or contract) carrier rates.

(3) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the Islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(4) An amount equal to cartage charges on the Island of destination, from dock to warehouse, computed at a rate not in excess of the amount set forth in paragraph (f) (5) above, *Provided*, That the articles are moved from the dock at the wholesaler's expense.

(h) *Maximum prices for sales at retail—*(1) *Mainland purchases.* The maximum price for sales at retail of finished piece goods shall be computed by multi-

² 8 F.R. 5307, 5362, 14765, 15586.

³ F.R. 3057, 4851, 6181, 9023, 12934, 15906.

plying the converter's, converter-jobber's, wholesaler's or jobber's invoice price less all discounts and allowances except cash discounts up to 3% by the figure given below in the first column (1) for the classification of goods to be priced.

(2) *Local purchases.* The maximum price for sales at retail for finished piece goods shall be computed by multiplying the local wholesaler's, jobber's, or converter-jobber's invoice price less all discounts and allowances except cash discounts up to 3% by the figure given below in the second column (2) for the classification of goods to be priced.

TABLE OF RETAIL MULTIPLICATION FIGURES

	Mainland purchases Column (1)	Local purchases Column (2)
Woolen or worsted fabrics.....	1.80	1.65
Dress goods.....	1.75	1.60
Table damask.....	1.75	1.60
Upholstery & drapery fabrics.....	1.85	1.65
Curtain materials.....	1.75	1.60
All other fabrics.....	1.65	1.60

(3) *Inability to determine at retail.* Any person who is unable to determine his maximum price at retail under subparagraph (1) or (2) of this paragraph (h) shall apply for the establishment of a maximum price to the Office of Price Administration, Hawaii Territorial Office.

(i) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the resulting maximum wholesale or retail prices determined on the basis of the allocated costs.

(j) *Maximum prices for certain merchandise purchased at lower than manufacturer's maximum price.* In cases where a retailer or wholesaler purchases any article listed and described in paragraph (a) of this section, at a price lower than a price which the purchaser previously paid to the same seller for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration for a maximum price for resale of this merchandise, which maximum price is based upon the higher price previously paid to such seller, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice for the goods in question and invoice establishing the former higher price or other evidence of a similar nature.

(k) *Odd cent maximum prices at wholesale or at retail.* Whenever the calculation of a maximum wholesale or retail price results in a fraction of a cent, the maximum price shall be adjusted to the nearest cent.

(l) *Definitions.*—(1) *"Class I Purchaser."* A Class I purchaser is a wholesaler or jobber who buys finished piece

goods at the converter's price to Class I purchasers in accordance with the provisions of the mainland regulation Maximum Price Regulation 127, Finished Piece Goods.

(2) *"Class II purchaser."* A Class II purchaser is a person who buys finished piece goods at the converter's price to Class II purchasers in accordance with the provisions of the mainland regulation Maximum Price Regulation 127, Finished Piece Goods.

(3) *"Converter"* means a person who sells finished piece goods after having finished such goods or after causing such goods to be finished for his account.

(4) *"Converter-jobber"* means a converter who is also regularly engaged in performing, in addition to his converting business, the function of a jobber or wholesaler, and includes a jobber or wholesaler controlling, controlled by or under common control with a converter.

(5) *"Finished piece goods"* means woven fabrics, more than 12" in width, bleached, dyed, printed, mercerized or otherwise finished or processed.

(m) *Records and reports by sellers other than at retail.* In addition to such records as the seller is required to keep under section 10 of this regulation, every person making a sale of finished piece goods other than at retail shall furnish the buyer at the time of the delivery of the finished piece goods with a written invoice or sales memorandum, setting forth the date of sale, the name and address of the buyer and seller, quantity and description of the finished piece goods sold (style or lot number), the price charged or received therefor, and either the retailer's ceiling price for the finished piece goods as calculated under paragraph (h) or the appropriate retail multiple figure as given in the table in paragraph (h) (2).

All the provisions of this amendment shall become effective November 29, 1943, except as follows with respect to sales at retail of finished piece goods in inventory as of November 29, 1943:

Such piece goods need not be priced under this amendment until January 29, 1944: *Provided*, That any such finished piece goods which is the same or similar to piece goods received in inventory after November 29, 1943, shall not be sold at a price higher than the maximum price established by this amendment for such new finished piece goods. For the purposes of this paragraph, one article shall be deemed "similar" to another article if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such article, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such articles would ordinarily have been sold shall not be taken into account.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

JF. R. Doc. 44-418; Filed, January 7, 1944;
4:47 p. m.]

PART 1493—COMMODITIES AND SERVICES
[Rev. SR 14, Amdt. 76]

STEEL WIRE GARMENT HANGERS

Amendment No. 76 to Revised Supplementary Regulation No. 14. Modification of maximum prices for certain commodities, services and transactions.

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 636 is added to read as follows:

SEC. 636 *Maximum prices for sales by jobbers to industrial and commercial users of steel wire garment hangers.*

(a) *Scope of this section.* This section permits jobbers to add to their current delivered cost of steel wire garment hangers, the dollar mark-up they customarily enjoyed in October 1941 on sales of steel garment hangers. It applies only for sales to industrial or commercial users. When used in this section, the term "jobber" means any person who buys garment hangers from the manufacturer and resells them, without substantially changing their form, to industrial or commercial users.

(b) *Maximum prices for sales and deliveries of steel wire garment hangers by jobbers to industrial and commercial users.* If you are a jobber, you determine your maximum price for sales of steel wire garment hangers to industrial and commercial users in the following manner:

(1) Select from the garment hangers sold by you during October 1941 the type most similar to the steel wire garment hanger for which you are determining your ceiling price.

(2) Subtract from the highest price you charged industrial and commercial users, f.o.b. your warehouse, during October 1941 for that garment hanger, the amount you paid for that garment hanger, including any freight charges.

(3) Add the amount so obtained to your delivered cost of the steel wire garment hanger you are pricing. The resulting figure will be your ceiling price, f. o. b. your warehouse, for sales of steel wire garment hangers to industrial and commercial users. You must give the same discounts, freight allowances, and terms which you allowed during October 1941.

(c) *Maximum prices for sales and deliveries of steel wire garment hangers by jobbers who have no records.* If you are a jobber and do not have any records by which to determine a maximum price for your sales pursuant to this section, you must submit to your nearest Regional Office of the Office of Price Administration, a report applying for specific authorization of maximum prices for sales of such steel wire garment hangers. This report shall contain a description of the steel wire garment hanger, the manufacturer's name and address, your cost, and any other information which

*Copies may be obtained from the Office of Price Administration.

you may wish to submit. You must also submit such additional information as the Office of Price Administration may request. You may not sell such steel wire garment hangers until you have received authorization from the Office of Price Administration and must sell in accordance with the terms of such authorization. The maximum price authorized by the Office of Price Administration will be in line with the level of maximum prices established by this section for steel wire garment hangers.

Any Regional Office of the Office of Price Administration or such offices as may be authorized by the appropriate Regional Office, may, by order, establish maximum prices for sales of steel wire garment hangers by jobbers in any area or locality within its jurisdiction.

(d) *Records to be kept by jobbers.* If you are a jobber and have established maximum prices for your sales under this section, you must keep and make available for examination by the Office of Price Administration (1) records showing your cost and your selling price of the garment hangers sold by you in October 1941 which you have used in determining your maximum prices for garment hangers currently being sold, and (2) invoices showing your current costs of the steel wire garment hangers for which maximum prices have been established under this section.

This amendment shall become effective on the 13th day of January 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

NOTE: The record-keeping and reporting provisions of this Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-423; Filed, January 7, 1944;
4:49 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 149, Amdt. 16]

MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 149 is amended in the following respects:

1. Section 1315.21a (f) is added, to read as follows:

(f) *Maximum prices for mechanical rubber goods containing materials purchased from Defense Supplies Corpora-*

tion. This paragraph is applicable to mechanical rubber goods that contain materials purchased from Defense Supplies Corporation. Notwithstanding any other provisions of this regulation, the maximum manufacturers' price of any mechanical rubber goods covered by this paragraph shall be determined as follows: The manufacturer shall first determine the price of the mechanical rubber goods in accordance with the applicable provisions of paragraphs (a) to (e), inclusive. The manufacturer shall then determine the maximum price by adding to this price a differential. This differential shall be determined by multiplying the estimated quantity of the material, purchased from Defense Supplies Corporation and used in the production of the mechanical rubber goods being priced, by the difference between the net price he pays Defense Supplies Corporation for the material and the price of the material determined in accordance with paragraph (a) (2) (iii), in the case of mechanical rubber goods listed in Appendix A, and paragraph (b), in the case of mechanical rubber goods listed in Appendix B.

2. Section 1315.31 (a) (3) is amended to read as follows:

(3) "Mechanical rubber goods" means all the articles and services listed in Appendices A and B, but does not include the articles listed in Appendix C.

3. In Appendix A the item "Lined or covered tanks, pipes and fittings, and other rubber lined or rubber covered items when lined or covered with either soft rubber or hard rubber, excepting rubber covered rolls" is amended to read "Lined or covered tanks, pipes and fittings, other rubber lined or rubber covered items when lined or covered with either soft rubber or hard rubber (except rubber covered rolls), and the lining or covering of items with either soft or hard rubber (except the covering of rolls)".

4. In Appendix B the item "Rubber covered rolls" is amended to read "Rubber covered rolls and the covering of rolls with rubber."

5. Paragraph (a) (3) is added to Appendix D, to read as follows:

(3) *Extra charges.* The manufacturer may add to the maximum price, determined in accordance with the applicable provisions of subparagraph (1) or (2) above, the charge that he had in effect on October 1, 1941, for cutting the hose into short lengths or for performing any other operation associated with the manufacture of hose for which he had an extra charge in effect on October 1, 1941.

This amendment shall become effective January 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9205, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-463; Filed, January 8, 1944;
12:11 p. m.]

PART 1316—COTTON TEXTILES

[MPR 11, Amdt. 12]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 11 is amended in the following respects:

Under the heading "aeroplane ply yarns" in Table I of § 1316.41 (d) the cents per yard prices of "40.85" and "41.85" opposite reference numbers AS1 and AS2 are changed to "43.89" and "44.87" respectively.

This amendment shall become effective January 14, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-464; Filed, January 8, 1944;
12:09 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 77]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.224 (b) (13), the first sentence is amended to read as follows:

"The prices established by subparagraphs (1) through (12) of this paragraph (b) or by orders issued on or after May 1, 1943 and prior to December 1, 1943 for coals produced at an underground truck mine without a rail siding or connection may be increased no more than 20 cents per ton."

2. Section 1340.228 (b) (5) is amended to read as follows:

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued prior to December 1, 1943 for coals produced at an underground truck mine without a rail siding or connection may be increased by no more than 20 cents per ton.

This amendment shall become effective as of November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-465; Filed, January 8, 1944;
12:11 p. m.]

*Copies may be obtained from the Office of Price Administration.

* 8 F.R. 10813, 13172, 15255.

PART 1372—SEASONAL COMMODITIES

[MPR 298, Amdt. 4]

ROTENONE

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 298 is amended in the following respect:

Section 1372.157 is amended to read as follows:

§ 1372.157 *Petitions for amendment and applications for adjustment—(a) Petitions for amendment.* Any person subject to any provision of this Maximum Price Regulation No. 298 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1² issued by the Office of Price Administration.

(b) *Applications for adjustment.* Any person subject to a maximum price determined in accordance with provisions of §§ 1372.169; 1372.170; 1372.171; or 1372.172, who is able to show (1) that such price subjects him to substantial hardship and (2) that any adjustment granted would not raise his price above that charged by competitive sellers, may apply for adjustment of his maximum price in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

In addition to other data believed necessary by the applicant to support the adjustment requested, the application shall show:

(1) Net sales, net worth at the end of the year, and net profit before federal income and excess profits taxes by fiscal years from 1936 to date for the over-all operations of the seller.

(2) A complete operating statement, covering the product for which price adjustment is sought, for the most recent fiscal year available, showing:

- (i) Gross sales
- (ii) Freight and other allowances and discounts
- (iii) Net sales (Units sold and dollar value)
- (iv) Cost of goods sold
 - Inventory adjustments
 - Raw materials (Units and dollar value showing each material separately.)
 - Direct production costs
 - Labor
 - Other
 - Containers
- (v) Gross operating margin
- (vi) Administrative and selling costs
- (vii) Net profit on operations

(3) If the operating statement for the most recent fiscal year is no longer deemed representative, also submit a comparable statement for current or anticipated operations, explaining all differences from the statement as provided under 2.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 365, 5589, 6440, 16297.

² 7 F.R. 8961.

(4) A list of prices currently charged by competitive sellers for products the same or similar to that for which price adjustment is sought.

If any of the above data has been filed with the Bureau of Internal Revenue the applicant may authorize the Office of Price Administration to obtain the necessary information from that source, or if such data has already been filed with the Office of Price Administration the applicant may refer to such previously filed report and request that necessary information be taken therefrom.

This amendment shall become effective January 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7071; E.O. 9328, 8 F.R. 4631)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-466; Filed, January 8, 1944;
12:18 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5E, Amdt. 2]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5E is amended in the following respects:

1. Section 2.2 (a) is amended to read as follows:

SEC. 2.2 *Basic ration books.* (a) Class A ration books shall be issued as basic rations for passenger automobiles, shall contain six (6) pages of eight (8) coupons to each page, and shall be valid for transfers of gasoline to the holder thereof only during the following periods:

Coupons:	Valid period
A-18-----	January 1944.
A-19-----	February 1944.
A-20-----	March 1944.
A-21-----	April 1944.
A-22-----	May 1944.
A-23-----	June 1944.

2. Section 2.4 (b) is amended to read as follows:

(b) B and C ration books shall contain twelve (12) pages of eight (8) coupons to each page, and shall be valid for transfers of gasoline to the holder thereof only during the following periods:

B or C coupons bearing number:	Valid period— 6 days commencing with—
61-----	January 3, 1944.
62-----	January 10, 1944.
63-----	January 17, 1944.
64-----	January 24, 1944.
65-----	January 31, 1944.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 8975.

B or C coupons bearing number:	Valid period— 6 days commencing with
66-----	February 7, 1944.
67-----	February 14, 1944.
68-----	February 21, 1944.
69-----	February 28, 1944.
70-----	March 6, 1944.
71-----	March 13, 1944.
72-----	March 20, 1944.
73-----	March 27, 1944.
74-----	April 3, 1944.
75-----	April 10, 1944.
76-----	April 17, 1944.
77-----	April 24, 1944.
78-----	May 1, 1944.
79-----	May 8, 1944.
80-----	May 15, 1944.
81-----	May 22, 1944.
82-----	May 29, 1944.
83-----	June 5, 1944.
84-----	June 12, 1944.
85-----	June 19, 1944.
86-----	June 26, 1944.
87-----	July 3, 1944.

3. Section 2.12 (d) is amended to read as follows:

(d) Coupons of all categories of S ration books shall be valid for transfers of gasoline to the holders thereof only during the periods as follows:

S-1, S-2, S-3, S-4, or S-5 coupons bearing number:	Valid period— 6 days commencing with
60-----	January 3, 1944.
61-----	January 10, 1944.
62-----	January 17, 1944.
63-----	January 24, 1944.
64-----	January 31, 1944.
65-----	February 7, 1944.
66-----	February 14, 1944.
67-----	February 21, 1944.
68-----	February 28, 1944.
69-----	March 6, 1944.
70-----	March 13, 1944.
71-----	March 20, 1944.
72-----	March 27, 1944.
73-----	April 3, 1944.
74-----	April 10, 1944.
75-----	April 17, 1944.
76-----	April 24, 1944.
77-----	May 1, 1944.
78-----	May 8, 1944.
79-----	May 15, 1944.
80-----	May 22, 1944.
81-----	May 29, 1944.
82-----	June 5, 1944.
83-----	June 12, 1944.
84-----	June 19, 1944.
85-----	June 26, 1944.
86-----	July 3, 1944.

4. Section 2.22 (b) (5) is amended to read as follows:

(5) To carry persons to and from established places of registration for voting, to and from the polls for the purpose of voting in public elections (including primary elections); or to act as duly appointed election officials or poll watchers; by a bona fide candidate for nomination in a primary election or for an elective public office, for purposes essential to the prosecution of his candidacy.

5. Section 5.5 (c) is amended by deleting the figure "50" and inserting in its place the figure "10."

6. Section 7.17 (a) is amended by deleting the figure "1%" and inserting in its place the phrase "one half of one percent."

This amendment shall become effective January 3, 1944.

(Pub. Law 871, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law No. 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, WPB Directive No. 1, Supp. Dir. 1-J, 7 F.R. 562)

Issued this 3d day of January 1944.

JORGE L. CORDOVA,
Territorial Director for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 44-407; Filed, January 8, 1944; 12:18 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

19 RMFPR 183; Amdt. 201

CANNED FOODS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 183 is amended in the following respects:

i. Section 20 Table 3 is amended by adding a new brand to the category "Royal Anne cherries", by changing the prices of "Canned red raspberries: Del Monte", by adding the category "Canned boysenberries", all to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Storval Anna cherries:				
Trumpet.....	Case of 6/10 cans.....	\$8.25	\$9.50	Per can \$2.03
Canned red raspberries:				
Del Monte.....	Case of 12/603 (glass).....	3.70	4.25	0.46
Canned boysenberries:				
Del Monte.....	Case of 12/603 (glass).....	2.85	3.25	0.35

2. Section 20 Table 3a is added to read as follows:

TABLE 3A.—MAXIMUM PRICES FOR FRUIT SAUCES AND PRESERVES

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price
Apple sauce: Dodge.....	Case of 6/10 cans.....	\$4.60	\$5.25	Per can \$1.14

3. Section 21 Table 4 is amended by adding a new brand to the category "Apple Juice" to read as follows:

Items and brand name	Unit	Price at wholesale	Price at wholesale	Retail price
Apple Juice: Dartmouth.....	Case of 24/12 oz. bot.....		\$2.75	Per container \$0.17

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15196.

4. Section 22 Table 5a is added to read as follows:

TABLE 5A.—MAXIMUM PRICES FOR CANNED CORNED BEEF HASH AND CANNED STEW

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Corned beef hash:				
Stokley Bros.	Case of 24/24 oz. cans	\$8.30	\$8.90	Per can 30.45
Stew meat and vegetables:				
Libby.	Case of 24/28 oz. cans	4.80	6.30	0.37

5. Section 23 Table 7 is amended by changing the prices of "Campbell: Vegetarian Vegetable" to read as follows:

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price
Campbell: Vegetarian Vegetable.....	Case of 48/41 cans.....	\$3.65	\$5.15	Per can \$0.10 or \$1 for 10.

6. Section 23 Table 7a is added to read as follows:

TABLE 7A--MAXIMUM PRICES FOR DEHYDRATED SOUP

Item and brand name	Unit	Price to wholesaler	Price at retail
Aunt Polly (all varieties).....	Case of 48 2 1/4 oz. pkgs.....	\$4.35	\$4.75
			Per unit \$0.12

7. Section 24 Table 8 is amended by adding two new brands to the category "Tomato paste" to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Tomato paste:				Per case fairer
S & W	Case of 72's or cans	\$4.25	\$4.90	\$0.09
Green flow	Case of 72's or cans	4.05	4.65	0.09

8. Section 24 Table 9 is amended by adding a new size to the items "Canned tomato juice: Libby", "Canned tomato juice: Exquisite", "Canned tomato juice: Hurff", all to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned tomato juice:				<i>Per con- tainer</i>
Libby.....	Case of 24 1/2 cans.....	\$2.65	\$3.05	\$0.16
Exquisite.....	Case of 24 1/2 cans.....	2.85	3.25	0.18
Hurff.....	Case of 24 1/2 cans.....	2.60	3.00	0.16

9. Section 25 Table 10 is amended by changing the prices of "Canned asparagus: Del Monte (Early Garden)" and "Canned Asparagus tips: Del Monte (Early Garden)" by adding 2 new types to the category "Canned beans," by adding a new brand to the item "Canned beets: Diced," by adding 2 new types to the category "Canned carrots," by adding 2 new types to the category "Canned corn," by adding 5 new types to the category "Canned peas," and by adding a new brand to the category "Canned peas and carrots," all to read as follows:

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-409; Filed, January 8, 1944; 12:00 p. m.]

Brand	Container-size and unit	Price to wholesaler	Price at wholesale	Retail price
Vegetable oil:				
Crisp.....	Cans of 29 1/2 lbs. each.....	\$30.36	\$29.87	Per unit \$1.70
Alter.....	Cans of 29 1/2 lbs. each.....	20.70	22.76	1.18

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 14 to GMPR, Corr. to Amdt. 40]

TERMINAL SERVICES IN OREGON AND WASHINGTON

Amendment No. 40 to Revised Supplementary Regulation No. 14 is corrected in the following respects:

1. Section 8.5 (a) is hereby corrected by deleting from the fourth unnumbered paragraph thereof:

* * * state office of the Office of Price Administration as follows:

Washington State: Office, White-Henry-Stuart Bldg., 1201 Fourth Ave., Seattle, Wash.
Oregon State: Office, 520 SW. Sixth Ave., Portland, Oreg.

and substituting therefor the words:

* * * district offices of the Office of Price Administration as follows:

Seattle District: Office, 1338 Fourth Ave., Seattle, Wash.
Portland District: Office, 520 SW. Sixth Ave., Portland, Oreg.

2. Section 8.5 (b) (15) is hereby corrected to read as follows:

(15) Terminals and wharfingers in Washington and Oregon which have facilities for servicing ocean going vessels and which are not specifically covered by the provisions of this paragraph (b) may charge rates not in excess of those set forth in the tariff pages of Port of Seattle Terminals Tariff No. 2-C listed in paragraph (b) (1) above or the rates set forth in the tariff pages of Port of Tacoma Terminals Tariff No. 1 listed in paragraph (b) (2) above, or the rates set forth in the tariff pages of Terminal Tariff No. 2-A of the Commission of Public Docks of the City of Portland, Oregon listed in paragraph (b) (14) above: *Provided*, That terminals and wharfingers which elect to charge the rates permitted by this subparagraph (15) shall file with the appropriate offices of the Office of Price Administration as set forth in paragraph (a) above, a statement containing the following:

(i) Name and location of the terminal or wharfinger.

(ii) Tariff or rate schedule of the terminal or wharfinger's present maximum rates.

(iii) Effective date or dates of adoption of rates of Seattle Terminals Tariff No. 2-C or Portland Terminal Tariff No. 2-A or Port of Tacoma Terminals Tariff No. 1.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-469; Filed, January 8, 1944;
12:10 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 14 to GMPR, Amdt. 77]

CURED DEER AND ELK SKINS

A statement of the considerations involved in the issuance of this amendment,

issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 3.9 is added to read as follows:

Sec. 3.9 Cured deer and elk skins—(a) Maximum prices for cured deer and elk skins. On and after January 14, 1944, the maximum prices for cured deer and elk skins shall be the prices established in the table below. The prices under Column I apply to all cured deer and elk skins sold by collectors. The prices under Column II apply to all cured deer and elk skins sold by dealers and include commissions and all other charges. All maximum prices are f. o. b. domestic point of shipment.

DEERSKINS

Western (Skins of the type customarily identified with the states of Utah, Colorado, Nevada, Idaho, California and Washington.)

	Column I Collector (per lb.)	Column II Dealer (per lb.)
#1 flint dried.....	\$0.40	\$0.425
#1 dry salted.....	.37	.395
Slightly damaged flint dried.....	.267	.283
Slightly damaged dry salted.....	.247	.263
Culls and damaged flint dried.....	.20	.2125
Culls and damaged dry salted.....	.185	.198

Middle Western, Canadian and Eastern (Skins of the type customarily identified with Canada and the states of Wisconsin, Minnesota, Michigan, Maine, New Hampshire, Vermont, Pennsylvania and New York.)

	Collector (per skin)	Dealer (per skin)
#1's.....	\$2.40	\$2.55
Slightly damaged.....	1.60	1.70
Culls and damaged.....	1.20	1.275

Southerns (Skins of the type customarily identified with the states of Virginia, West Virginia, North Carolina and Texas.)

	Collector (per skin)	Dealer (per skin)
#1's.....	\$1.75	\$1.90
Slightly damaged.....	1.17	1.27
Culls and damaged.....	.875	.95

ELKSKINS

	Collector (per lb.)	Dealer (per lb.)
Whole skins, flint dried...	\$0.25	\$0.275
Half skins, flint dried...	.125	.138
Quarter skins, flint dried...	.0625	.069
Whole skins, culls and damaged, flint dried...	.125	.138
Whole skins, dry salted...	.22	.245
Half skins, dry salted...	.11	.1225
Quarter skins, dry salted.....	.055	.0613
Whole skins, culls and damaged, dry salted...	.11	.1225

(b) *Maximum brokerage charges.* In the event that the services of a broker are used in connection with a purchase or sale of deer or elk skins, a commission or fee not in excess of the amount specified below may be charged and paid for such services: *Provided*, That in the case of a sale by a dealer the total of the selling price and the brokerage commission or fee shall not exceed the applicable maximum price for the skins es-

*Copies may be obtained from the Office of Price Administration.

tablished in Column II of paragraph (a) above. No person may charge a brokerage commission or fee for purchasing or selling deer or elk skins unless he discloses to his principal the name and address of the seller or the purchaser of the skins. The maximum commissions or fees which may be charged for such services are as follows:

DEERSKINS

	(Per lb.)
Western:	
#1 flint dried.....	\$0.0125
#1 dry salted.....	.0125
Slightly damaged.....	.0083
Culls and damaged.....	.0063
Middle Western, Canadian, Eastern and Southern	Per skin
#1's.....	\$0.0750
Slightly damaged.....	.05
Culls and damaged.....	.0375

ELKSKINS

	Per lb.
Whole skins.....	\$0.0125
Half skins.....	.0063
Quarter skins.....	.0032
Whole skins, culls and damaged.....	.0063

(c) *Definitions.* (1) The term "cured deer and elk skins" means untanned skins of deer or elk, which have been preserved by salting or drying.

(2) The term "collector" means a person who is engaged in the business of buying and selling deer or elk skins and whose purchases of cured deer and elk skins constitute less than 75% of his total purchases of both cured and uncured deer and elk skins.

(3) The term "dealer" means a person who is engaged in the business of buying and selling deer or elk skins and whose purchases of cured deer and elk skins constitute at least 75% of his total purchases of both cured and uncured deer and elk skins.

This amendment shall become effective January 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-470; Filed, January 8, 1944;
12:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 78]

SALES OF COFFEE URN BAGS BY MANUFACTURERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended to read as follows:

Sec. 3.8 Sales of coffee urn bags by manufacturers. Manufacturers of coffee urn bags may charge a price not in excess of the maximum price established under the General Maximum Price Regulation or the price listed opposite the specifications of each such bag in the table below; whichever is higher:

Diameter (inches)	Top (inches)		Bottom (inches)		Maximum price per 100 bags
	Length	Depth	Diameter	Circumference	
10.....	32½	6	10¾	33.77	\$4.76
12.....	33½	7	12¾	40.25	5.80
14.....	45	7	14½	45.55	6.59
16.....	51½	7	16½	51.83	7.73
18.....	58	7	18½	58.11	8.58

This amendment shall become effective January 14, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-462; Filed, January 8, 1944;
12:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, Supp. Service Reg. 23]

POWER LAUNDRIES SELLING COMMERCIAL FLATWORK IN OKLAHOMA CITY, OKLA.

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 23 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 23 is hereby issued.

§ 1499.2253 *Power laundries selling commercial flatwork in Oklahoma City.* (a) Dollars-and-cents maximum prices established for commercial flatwork sold by power laundries located in Oklahoma City.

(1) The maximum prices established by Maximum Price Regulation No. 165, as amended, for commercial flatwork services sold by power laundries located in Oklahoma City are hereby modified and shall henceforth be as follows:

250 pounds or less in a single pick-up, 5¢ per lb.;
251 to 500 pounds in a single pick-up, 4½¢ per lb.;
Over 500 pounds in a single pick-up, 4¢ per lb.;

(2) *Definitions.* As used in this supplementary service regulation, the term:

"Power laundries" means all establishments in Oklahoma City offering laundry services for sale with the exception of such hand laundries as do not use power machinery to wash laundry.

"Oklahoma City" means the corporate limits of the city of Oklahoma City, Oklahoma.

"Commercial flatwork" means that type of laundry service which by common trade practice and use is known by that name in Oklahoma City.

*Copies may be obtained from the Office of Price Administration.

17 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

(3) *Notice requirements.* Within 15 days after the effective date of this regulation every power laundry located in Oklahoma City shall notify its commercial flatwork customers of the maximum prices established herein.

(4) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

(5) *Other laundry services.* Services performed by power laundries not covered herein shall be governed by Maximum Price Regulation 165.

This Supplementary Service Regulation No. 23 (§ 1499.2253) shall become effective January 14, 1944.

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-461; Filed, January 8, 1944;
12:10 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118, Amdt. 23]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 118 is hereby amended in the following respects:

1. In § 1400.118 (d) (14) (ii) (a) the words "The maximum prices for gauze nursery products shall be" are amended to read "The maximum prices of manufacturers for gauze nursery products shall be".

2. In § 1400.118 (d) (14) (ii) inferior subdivision (c) is added to read as follows:

(c) The maximum prices of wholesalers for gauze nursery products shall be: For sales of 48 dozen or more, the sum of the cost of the product delivered to the wholesaler's warehouse (not to exceed the manufacturer's maximum price, plus the freight from the manufacturer to the wholesaler's warehouse) and the cents-per-dozen margin shown in the table below; for sales of less than 48 dozen, the sum of the cost of the product f. o. b. the manufacturer's mill (not to exceed the manufacturer's maximum price) and the cents-per-dozen margin shown in the table below.

WHOLESALE'S MARGINS

Type of products	Type of sale	
	48 doz. or more	Less than 48 dozen
Standard gauze diapers:		
27" to 21" x 40".....	For dozen \$3.16	For dozen \$3.23
27" x 27".....	.16	.23
22" x 44".....	.18	.27
30" x 30".....	.18	.27
Nursery Gauze Pads:		
17" x 18" or 20" x 19".....	.24	.30
15" x 20".....	.22	.28
27" x 40".....	1.03	1.11
"Cribmaker".....	1.03	1.11
Gauze bibs.....	.19	.23

* Pad section 27" x 40", overall dimensions 35" x 81".

This amendment No. 22 shall become effective January 14, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-478; Filed, January 8, 1944;
4:59 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 43]

FOOD RATIONING FOR INSTITUTIONAL USES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 5.5 (a) is amended by deleting the date "January 15, 1944" in the first sentence and substituting in place thereof, the date "February 1, 1944".

2. Section 18.2 (c) is revoked and a new section 18.2 (c) is added to read as follows:

(c) If, because of the nature of his operations, it is an undue hardship for a Group III institutional user to keep records, in accordance with this section, of the actual number of persons served and dollar revenue received, he may file with the Board a petition for relief on OPA Form R-315. He must state in his petition his method of keeping records of cash receipts (such as punch checks, written checks, cash register, etc.), the reason why it would be a hardship in his type of operation to keep the required records, and the method, other than a complete daily count, he can use for determining the required information.

If the Board finds that it is an undue hardship for the institutional user to keep daily records, it may authorize him, in writing, to keep such records for any full week during each month, specifying the record-keeping method and the weeks which it approves. The proportions which the number of persons served food and the dollar revenue derived from such services during that week bear to the total persons served and the total dollar revenue during that week, will be deemed to be the proportions for the entire month. If an institutional user petitions for permission to use a method not involving records for a full week in each month, the Board may not act on his petition, but must forward it to the District Office. The District Office shall act on such petitions in accordance with instructions from the Washington Office.

This amendment shall become effective January 8, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Acts of 1942.

* 8 F.R. 10992, 11676, 11480, 11479, 12453, 12557, 12493, 12744.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-477; Filed, January 8, 1944;
4:58 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 8, Amdt. 4]

GENERAL PROHIBITIONS AND PENALTIES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 8 is amended in the following respects:

1. Section 1.2 is amended by inserting the words "stamp envelope," immediately following the words "stamp card," and the word "token," immediately following the words "coupon sheet," in the definition of the term "Ration document".

2. Section 2.4 (b) is amended by inserting the word "die," immediately following the word "plate,".

3. Section 2.4 (c) is amended by inserting the word "die," immediately following the word "plate,".

4. Section 2.17 (c) is amended to read as follows:

(c) Authority is hereby given to make, hold, dispose of and use illustrations of ration documents for the purpose of disseminating information relating to a rationed commodity: *Provided*, That the illustrations are in black and white only, and are of a size less than $\frac{3}{4}$ or more than $1\frac{1}{2}$ in linear dimension, of each part of the document: *Provided further*, That illustrations of tokens only may be made in color but must comply with the above requirements as to size.

5. Section 2.18 is amended by amending the heading to read "Possession or use of distinctive safety paper or vulcanized fiber" and by adding the words "or vulcanized fiber" immediately following the words "safety paper" in the text of the section.

This amendment shall become effective January 14, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; W.P.B. Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 10th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-537; Filed, January 10, 1944;
11:30 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 3783, 5677, 9626.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348, Amdt. 26]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the addition of Appendix E, Table 2:

APPENDIX E

TABLE 2

Area. Parts of the States of Kentucky, Tennessee and Illinois as follows:

Kentucky. All counties west of and including the counties of Henderson, McClean, Muhlenberg, Butler, Warren and Allen.

Tennessee. All counties west of but not including the counties of Pickett, Fentress, Morgan, Roane, Rhea and Hamilton counties, except the counties of Shelby, Fayette, Hardeeman, Haywood, Tipton and Lauderdale; but including that portion of Hamilton County lying south of the Nashville, Chattanooga and St. Louis Railroad.

Illinois. That portion of the state south of a line running from East St. Louis, Illinois, in St. Clair County along the tracks of the Louisville and Nashville Railroad through the cities of Belleville, Mt. Vernon and Eldorado, Illinois to their intersection with the eastern boundary of Saline County, thence along the eastern boundary of that county to its intersection with the northern boundary of Hardin County, thence east along the northern boundary of that county to the Ohio River.

Species. The following species:

Yellow Poplar.....	(Liriodendron tulipifera).
Sweet Gum.....	(Liquidambar styraciflua).
Tupelo Gum.....	(Nyssa aquatica).
Black Gum.....	(Nyssa sylvatica).
Cypress.....	(Taxodium distichum).
Beech.....	(Fagus grandifolia).
Sycamore.....	(Platanus occidentalis).
Hackberry.....	(Celtis occidentalis).
Walnut.....	(Juglans nigra).

as well as all botanical species of the following genera:

Oak.....	(Quercus).
Magnolia.....	(Magnolia).
Maple.....	(Acer).
Cherry.....	(Prunus).
Ash.....	(Fraxinus).
Elm.....	(Ulmus).
Cottonwood.....	(Populus).
Hickory.....	(Hicoria).
Birch.....	(Betula).
Basswood.....	(Tilia).

and other commercial species.

Scaling and grading rules. All logs are to be scaled with the Doyle Log Rule. The diameter shall be measured at the small end of the log, inside the bark, and at the smallest diameter. Fractions of an inch below $\frac{1}{2}$ inch shall be counted back to the next lower full inch, while fractions of an inch above $\frac{1}{2}$ inch may be raised to the next higher inch. (Thus a log 14.4 inches would be 14" and a log 14.6 inches would be 15"). If the fraction of an inch is exactly $\frac{1}{2}$ inch, it shall be counted as of the nearest even inch. (Thus

13 $\frac{1}{2}$ inches would be counted as 14", and 14 $\frac{1}{2}$ inches would be counted as 14").

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full deduction must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, rotten and wormy sap, and crooks.

Logs are to be cut in even lengths unless otherwise specified by the buyer with the minimum length accepted as 8 feet. All logs must be cut 4" over length to allow for trim. Logs that are not at least 4" over the specified length will be scaled as of the next lower even length. Logs less than 8' in length may be purchased subject to conditions quoted below:

*Grade specifications: Clear grade—*minimum diameter 24". All logs 24" and over in diameter must be clear of all visible defects. Sound sap knots 1" and less in diameter will not be considered as a defect in this grade. A rot or dote 4" in diameter or less located in the center of the log will not degrade the log but deduction for the defect must be made in scaling the log.

*Select grade—*minimum diameter 16". Logs 16" to 23" in diameter must be clear of all defects. Logs 24" and over in diameter must have at least 3 clear faces or have 75 per cent of the length clear in one continuous section. Sound sap knots 1" or less in diameter will not be considered as a defect in this grade. A rot or dote in the center of the log up to 4" in diameter will be permitted for logs 24" and over and up to 3" in diameter for logs 16" to 23" in diameter. This defect will not degrade the log but full deduction for the defect must be made in scaling.

*No. 1 grade—*minimum diameter 12". Logs 12" to 15" in diameter must be clear of all visible defects. Logs 16" to 23" in diameter must have at least 3 clear faces or 75 percent of the length clear in one continuous section. Logs 24" and over in diameter must have at least 2 clear faces or have at least 50 percent of the length clear in one continuous section. Sound sap knots 1" or less in diameter will not be considered as a defect in this grade. A rot or dote in the center of the log up to 4" in diameter is permitted for logs 24" and up, up to 3" in diameter for logs 16" to 23", and up to 2" in diameter for logs 12" to 15" diameter. This defect will not degrade the log, but full deduction must be made for the defect when scaling the log.

*No. 2 grade—*minimum diameter 12". This grade shall include all sound logs above the specified diameter limits that are better than a cull and that do not grade as a No. 1 log.

*A cull—*shall be considered as any log where the net board foot scale after deductions have been made for defects contains less than 50 percent of the gross board foot scale.

*Woods run grade—*shall consist of hardwood and cypress logs 12" and up in diameter as produced from the forest that are better than culls and from which no selection of large-sized or high-quality logs has been made. If any large-sized or high-quality logs have been removed from the run of logs, the remaining logs must be sold at prices no higher than the No. 2 grade prices if ungraded, or at the applicable grade prices if graded. When any small-sized or low-quality logs have been removed from the run of logs, the remaining logs may still be sold at the woods run price.

A summary of grades as based upon diameters and number of clear faces is given below.

¹ 8 F.R. 3670, 5163, 5565, 6356, 8751, 9515, 10023, 11214, 12797, 13337, 14212, 14394, 15190, 15696, 15837, 15838.

Diameter range	4 clear faces	3 clear faces or 75% of length clear in one continuous section	2 clear faces or 50% of length clear in one continuous section	Other (better than cull)
24" and up	Clear grade	Select grade	No. 1 grade	No. 2 grade
16"-24"	Select grade	No. 1 grade	No. 2 grade	No. 2 grade
12"-16"	No. 1 grade	No. 2 grade	No. 2 grade	No. 2 grade

Maximum prices.

(Per M Feet Log Scale)

Species	Clear grade	Select grade	No. 1 grade	No. 2 grade	Woods run grade
White Oak	\$65.00	\$45.00	\$22.50	\$20.00	\$27.50
Red Oak	55.00	40.00	30.00	19.00	26.00
Poplar	65.00	45.00	32.50	20.00	27.00
Magnolia	55.00	40.00	30.00	19.00	25.00
Sweet Gum	55.00	40.00	30.00	19.00	26.00
Black Gum	40.00	35.00	25.00	18.00	24.00
Tupelo Gum	40.00	35.00	25.00	18.00	24.00
Cypress	45.00	35.00	25.00	18.00	24.00
Maple	40.00	35.00	27.50	19.00	24.00
Cherry	50.00	40.00	30.00	20.00	25.00
Tough Ash	50.00	37.50	27.50	20.00	27.00
Other Ash	50.00	25.00	20.00	15.00	20.00
Beech	40.00	32.50	25.00	18.00	23.00
Sycamore	40.00	30.00	23.00	17.00	22.00
Elm	35.00	30.00	22.50	17.00	22.00
Hackberry	35.00	30.00	22.50	17.00	22.00
Cottonwood	35.00	30.00	25.00	18.00	23.00
Hickory					25.00
Walnut					35.00
Birch	50.00	35.00	25.00	18.00	23.00
Boxwood	55.00	40.00	30.00	20.00	24.00
Other Species	35.00	30.00	25.00	15.00	20.00

* If sold in conjunction with other species. Ceiling prices will be established for Walnut, Ash and Hickory when purchased on an individual selection basis.

The above prices are for logs f. o. b. cars at rail sidings; f. o. b. barge at towable waters; or delivered to mill by truck from within a distance of 25 miles. If logs are delivered to the mill from a distance in excess of 25 miles a sum not to exceed 10 cents per thousand feet may be added for every additional load mile.

If the buyer takes delivery of logs at any place other than f. o. b. cars at a rail siding, f. o. b. barge at towable waters or at his mill, the buyer must deduct from his ceiling price either

(1) the cost of delivering logs to a rail siding and loading on cars if delivery to mill is by rail;

(2) the cost of delivering logs to towable waters and loading on barges if delivery to mill is by water;

(3) the cost of trucking logs to the mill if delivery to mill is by truck.

If logs are purchased in lengths lower than 8' on a grade basis, the above ceiling prices must be reduced by at least 10 per cent; if logs less than 8' are purchased on a woods run basis, no deduction will be necessary.

Clear logs 10" and 11" in diameter, 8' in length and longer may be purchased at the woods run price; clear logs 10" and 11" in diameter less than 8' in length may be purchased at 90 per cent of the woods run price.

The prices herein are for logs produced in the area described above and will govern for all buying plants purchasing logs in these areas whether or not the buying plants are located in the area.

This amendment shall become effective January 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-538; Filed, January 10, 1944;
11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[R.O. 16, Amdt. 95]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 13.3 (a) is amended to read as follows:

(a) A person who wishes to open an "industrial user establishment" which he did not operate at any time between January 1, 1942 and March 19, 1943, may apply for an allotment. No such application may be granted in any case, unless it is found that:

(1) The operation of the establishment will make a direct contribution to the War effort or is essential to meet civilian needs in the area it will serve; and

(2) The product it will produce cannot be obtained from any other source in the area to be supplied.

In addition, any person who wishes to open an industrial user establishment which he did not operate at any time between January 1, 1942 and March 19, 1943, to make a product or use for which a provisional allowance is granted under this order may apply for a provisional allowance of foods covered by this order for such purpose.

2. Section 13.3 (b) (6) is amended by inserting between the words "allotment" and "requested" the words ", or provisional allowance."

This amendment shall become effective January 14, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 19179; WPB Directive 1, 7 F.R. 562; WPB Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 10th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-536; Filed, January 10, 1944;
11:30 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[R.O. 16, Amdt. 97]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and

* Copies may be obtained from the Office of Price Administration.
18 F.R. 13128, 13394.

has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.3 (c) is amended by deleting the word "only" in the next to the last sentence; and by inserting before the period at the end of the next to the last sentence "or for household salvage fats"; and by changing the last three words in the last sentence to read, "in these ways."

2. Section 10.5 (f) is amended by adding a subparagraph (7) to read as follows:

(7) Points to be given up for household salvage fats. Notwithstanding any other provision of this order, a primary distributor, wholesaler, or retailer who acquires household salvage fats from a consumer or Group I institutional user must give such person ration coupons or one point ration stamps.

3. Section 17.7 (a) is amended by adding subparagraphs (14) and (15) to read as follows:

(14) Renderers who acquire household salvage fats must keep records of such acquisitions. (Section 26.5)

(15) Independent collectors who acquire household salvage fats for sale or transfer must keep records of such acquisitions, sales and transfers. (Section 26.8)

4. Section 17.7 (b) is amended by adding subparagraphs (35) and (36) to read as follows:

(35) Renderers must register. (Section 26.2 (a))

(36) Renderers must file reports of their acquisitions of household salvage fats. (Section 26.4)

5. Section 26.3 (b) is amended by changing the number "10" in the third sentence to "20".

6. Section 26.3 (c) is amended by inserting before the period at the end of the last sentence the following: (excluding the points he owes for acquisitions of household salvage fats).

7. Section 26.4 (a) is amended to read as follows:

(a) General. Every renderer must file a report on OPA Form R-1620 of his acquisitions of household salvage fats during each month beginning December, 1943. (However, this report for December, 1943 shall cover only the period from December 13, through December 31, 1943.) He must give all the information called for by the form. The report must be filed at the district office where he is registered within 20 days after the end of the month which it covers. If he has more than one rendering establishment and they are registered together, he must file a single report for all of them.

8. Section 26.4 (b) is revoked.

9. Section 26.11 (b) (2) is amended to read as follows:

(2) A person who acquires household salvage fats from a consumer or Group I institutional user must give such person ration coupons or one point ration stamps (designated by the Office of Price

Administration to be used for the acquisition of foods covered by this order).

10. Section 26.11 (c) (2) is amended to read as follows:

(2) Points for household salvage fats must be given up to all other persons not later than the 10th day of the month following the month in which the transfer was made. However, if money payment for the household salvage fats is made before this time, the points must be given up at the same time the money payment is made.

11. Section 26.12 (1), (2) and (3) are redesignated as 26.12 (a), (b) and (c), respectively.

12. Section 26.12 (b) is amended to read as follows:

(b) A consumer may exchange, point-free, with another consumer, a primary distributor, wholesaler or retailer, household salvage fats for foods covered by this order equal in point value to such household salvage fats.

13. Section 26.13 is amended by inserting before "and 23.1" the following: "22.1, 22.2 (a), 22.4."

This amendment shall become effective January 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 10th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-535; Filed, January 10, 1944;
11:30 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 341—SHIP WARRANT RULES AND REGULATIONS

[General Order 25, Supp. 2]

BLANKET SPECIAL PRIORITY AUTHORIZATIONS

Section 341.42 *Special priority authorization* is amended by adding thereto the following paragraph:

(a) *Blanket special priority authorizations.* The Administrator, through the Director, Ship Warrants Division, may, if such action is deemed expedient and in furtherance of the war effort, issue blanket special priority authorizations with respect to the servicing of specific classes of vessels at specified areas, ports, or facilities, subject to such conditions as may be imposed by the War Shipping Administration through the Director, Ship Warrants Division; *Provided, however,* That the application of such blanket priority authorizations may be

revoked as to any vessel refusing or neglecting to comply with any conditions imposed as aforesaid.

(1) *Canal Zone.* Until further notice, a blanket priority authorization pursuant to § 341.42 (a) is issued with respect to servicing at Canal Zone of vessels of 500 gross tons and under, plying in trade between Panamanian ports and nearby Central and South American countries. (E.O. 9050, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator,
War Shipping Administration.

JANUARY 8, 1944.

[F. R. Doc. 44-532; Filed, January 10, 1944;
11:24 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 174]

PART 95—CAR SERVICE

RESTRICTIONS ON ACCEPTING GRAIN SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of January, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation; upon request of the Office of Defense Transportation, and it appearing that the practice of shipping carload shipments of grain, grain products, grain by-products, and seeds to "notify" or to "advise" a destination at which the "notify" or "advise" party is not located or has no representative is resulting in delays in unloading, reconsigning, or diverting such carload shipments and delaying the release of cars; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

§ 95.327 *Restrictions on accepting grain shipments*—(a) *Acceptance of carload shipments of grain, grain products, grain by-products, and seeds covered by order notify, or straight-advise bills of lading.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport or move carload shipments of grain, grain products, grain by-products, or seeds:

(1) When consigned to a "notify" party or to an "advise" party at a location other than the billed destination of the shipment;

(2) When consigned to a "notify" or to an "advise" party at the billed destination of the shipment, unless the "notify" or "advise" party is authorized to accept notice of arrival of the shipment and to furnish disposition orders to the carrier's agent at the billed destination.

(b) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the

provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein, and changing the provisions of such tariffs so as to establish the provisions of this order.

(d) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(e) *Application.* (1) This order shall apply to carload shipments moving in intrastate commerce as well as to those moving in interstate commerce.

(2) The provisions of this order shall not be construed to apply to a carload shipment for which a shipping order or bill of lading has been tendered to a common carrier by railroad prior to the effective date of this order. (40 Stat. 101, sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall become effective at 12:01 a. m., January 16, 1944; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-449; Filed, January 8, 1944;
11:05 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 12]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY—NECESSITY CERTIFICATES—DIVISION OF RAILWAY TRANSPORT

Pursuant to Executive Orders 8989, as amended, and 9406, and the regulations prescribed by the Chairman of the War Production Board governing the issuance of Necessity Certificates under section 124 (f) of the Internal Revenue Code, it is hereby ordered, that:

§ 503.300 *Recommendations in respect to the issuance of Necessity Certificates.* Mr. M. Ellis Burk, Assistant Director, Division of Railway Transport, Washington, D. C., is hereby authorized and directed to make and issue in his name such recommendations with respect to the disposition of applications for Necessity Certificates under section 124 (f) of the Internal Revenue Code concern-

ing the construction, reconstruction, erection, installation or acquisition of domestic transport facilities and storage and warehouse facilities at points of transfer and in terminal areas as the Chairman of the War Production Board or his duly authorized representative may request from the Office of Defense Transportation. In the discharge of his duties he shall be guided by such policies as may be prescribed by any Director of a Division of the Office of Defense Transportation concerning facilities under his jurisdiction.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9406, 8 F.R. 16955; Regulations prescribed by Chairman of the War Production Board, 8 F.R. 16964)

Issued at Washington, D. C., this 8th day of January 1944.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-448; Filed, January 8, 1944;
10:35 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

NEVADA

MODIFICATION OF GRAZING DISTRICT

Correction

In F.R. Doc. 44-399, appearing on page 349 of the issue for Saturday, January 8, 1944, the land description for section 31 of T. 16 N., R. 21 E. should read:

Sec. 31, E $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{4}$, and SE $\frac{1}{2}$;

DEPARTMENT OF LABOR.

Division of Public Contracts.

CERTAIN CANNED AND DEHYDRATED FRUITS AND VEGETABLES

EXTENSION OF CONTRACTS

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for certain canned and dehydrated fruits and vegetables.

Whereas the Secretary of War on December 28, 1943, made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) in contracts awarded during the period from January 1, 1944, to the termination of the present war and three months thereafter for the canned and dehydrated fruits and vegetables enumerated in my orders of December 22, 1942 (7 F.R. 10794) and October 16, 1943 (8 F.R. 14353), will seriously impair the conduct of Government business; and

Whereas the Secretary of War has requested that an exception be granted under section 6 of the act to permit the award of contracts during that period

for such canned and dehydrated fruits and vegetables without the inclusion of the representations and stipulations of section 1 of the act; and

Whereas exceptions have been granted heretofore to permit the award of contracts for such canned and dehydrated fruits and vegetables until December 31, 1943, without including the representations and stipulations of the Public Contracts Act; and

Whereas it appears, on the basis of the facts stated in the findings of the Secretary of War, that justice and public interest will be served by extending the exception orders until December 31, 1944, unless otherwise ordered;

Now, therefore, I do hereby extend the exception orders dated December 22, 1942, and October 16, 1943, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35), until December 31, 1944, unless otherwise ordered.

Dated: December 31, 1943.

FRANCIS PERKINS,
Secretary of Labor.

[F. R. Doc. 44-444; Filed, January 7, 1944;
5:13 p. m.]

Wage and Hour Division.

FRUIT AND VEGETABLE PACKING AND FARM PRODUCTS ASSEMBLING INDUSTRY

RECOMMENDATION OF INDUSTRY COMMITTEE FOR MINIMUM WAGE RATE

Notice of oral argument before the Administrator in the matter of the recommendation of Industry Committee No. 62 for a minimum wage rate in the fruit and vegetable packing and farm products assembling industry.

Whereas a hearing was held on August 26 and December 2, 1943, before Donald M. Murtha as presiding officer, at which all interested persons were given on opportunity to be heard and to offer evidence on the following question:

Whether the recommendation of Industry Committee No. 62 for a minimum wage rate in the Fruit and Vegetable Packing and Farm Products Assembling Industry should be approved or disapproved;

and

Whereas, the complete record of said hearing has been transmitted to the Administrator,

Now, therefore, notice is hereby given:

That the Administrator will hear oral argument on the record of said hearing on January 26, 1944, at 10:00 a. m. at the office of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, by any person who entered an appearance at said hearing, provided that on or before January 24, 1944 such person informs the Wage and Hour Division of his intention to offer oral argument and the amount of time he will require for his presentation.

Signed at New York, New York, this 5th day of January 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-442; Filed, January 7, 1944;
5:13 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under Section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3579).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3579), and Administrative Order June 7, 1943 (8 F.R. 7630).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4253).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 29, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3579).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3539), as amended by Administrative Order March 13, 1943 (8 F.R. 3579).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3323).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3332), as amended by Administrative Order, March 13, 1943 (8 F.R. 3579).

Millinery Learner Regulations, Custom Made and Popular Priced, August 23, 1940 (5 F.R. 3332, 3333).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3579).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Abbeville Shirt Company, Inc., Abbeville, South Carolina; military and civilian shirts; 10 percent (T); effective December 29, 1943, expiring December 23, 1944.

J. H. Bonck Company, 1100 S. Jefferson Davis Parkway, New Orleans, Louisiana; dress, work shirts and pants; 10 percent (T); effective December 29, 1943, expiring December 28, 1944.

The Forwood Company, Taylor, Texas; cotton work clothing; 60 learners (E); effective December 28, 1943, expiring June 27, 1944.

Frances Gee Garment Company, Richmond, Missouri; nurses' uniforms, utility house dresses; 10 learners (T); effective January 3, 1944, expiring January 2, 1945.

Jay Dress Company, 701 17th Avenue, Belmar, New Jersey; children's cotton dresses; 6 learners (T); effective January 5, 1944, expiring January 4, 1945.

Mauch Chunk Apparel Company, 268 West Broadway, Mauch Chunk, Pennsylvania; ladies' housecoats and dresses; 10 learners (T); effective January 2, 1944, expiring January 1, 1945.

Princeton Dress Manufacturing Company, Inc., Wertsville Road, Hopewell, New Jersey; ladies' dresses; 4 learners (T); effective December 29, 1943, expiring December 28, 1944.

Ripley Manufacturing Company, Ripley, Mississippi; cotton shirts; 50 learners (E); effective December 31, 1943, expiring June 30, 1944.

Triangle Raincoat Company, 461 E. Federal Street, Youngstown, Ohio; cotton gabardine and worsted raincoats; 10 percent (T); effective January 1, 1944, expiring December 31, 1944.

GLOVE INDUSTRY

Jasper Glove Company, Inc., 611 Main Street, Jasper, Indiana; leather palm and cotton combination work gloves; 5 percent as machine stitchers, hand and machine stitchers, finger knitters and finger stitchers (T); effective January 13, 1944, expiring January 12, 1945.

Wells Lamont Corporation, Louisiana, Missouri; cotton and leather palm work gloves; 5 percent (T); effective January 12, 1944, expiring January 11, 1945.

HOSIERY INDUSTRY

James Knitting Mills, Hickory, North Carolina; seamless hosiery; 10 learners (AT); effective December 29, 1943, expiring December 28, 1944.

McFar Hosiery Mills, Inc., 110 West Henderson Street, Marion, North Carolina; men's seamless hosiery; 5 percent (T); effective January 12, 1944, expiring January 11, 1945.

Rollins Hosiery Mills, Inc., E. 28th Street and Dean Avenue, Des Moines, Iowa; full-fashioned hosiery; 5 percent (T); effective January 1, 1944, expiring December 31, 1944.

TELEPHONE INDUSTRY

Montezuma Mutual Telephone Company, Montezuma, Iowa; to employ learners as commercial switchboard operators at its Montezuma exchange, located at Montezuma, Iowa; effective January 1, 1944, expiring December 31, 1944.

San Marcos Telephone Company, San Marcos, Texas; to employ learners as commercial switchboard operators at its San Marcos exchange, located at San Marcos, Texas; effective December 30, 1943, expiring December 29, 1944.

KNITTED WEAR INDUSTRY

Malone Knitting Company, Wolfeboro, New Hampshire; infants' knitted underwear; 15 learners (E); effective December 29, 1943, expiring June 28, 1944.

TEXTILE INDUSTRY

Beacon Manufacturing Company, Swannanoa, North Carolina; blankets, napped goods; 3 percent (T); effective January 3, 1944, expiring January 2, 1945.

Carolina Mills, Inc., Malden, North Carolina; carded cotton yarn; 3 percent (T); effective December 29, 1943, expiring December 28, 1944.

Luray Textile Corporation, Hawksbill Street, Luray, Virginia; rayon yarn, nylon,

"commission throwing"; 3 percent (T); effective January 5, 1944, expiring January 4, 1945.

New City Mills Company, Inc., 235 East 2nd Street, Newton, North Carolina; cotton textiles; 3 percent (T); effective January 2, 1944, expiring January 1, 1945.

Signed at New York, N. Y., this 1st day of January 1944.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 44-443; Filed, January 7, 1944; 5:14 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 503 etc.]

BRANIFF AIRWAYS, INC., ET AL.

NOTICE OF HEARING

In the matter of the application of Braniff Airways, Inc., for amendment of its existing certificate of public convenience and necessity to extend route No. 15 from Oklahoma City, Okla., to Atlanta, Ga., via intermediate points.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned for February 1, 1944, 10 a. m. (eastern war time) in Conference Room A, Departmental Auditorium, Constitution Ave. between 14th St. and 12th St. NW., before Examiner Berdon M. Bell.

Dated Washington, D. C., January 6, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-481; Filed, January 10, 1944; 9:58 a. m.]

[Docket No. 930]

ALASKA AIRLINES, INC. AND CORDOVA AIR SERVICE, INC.

NOTICE OF HEARING

Application for approval under sections 408 (b) and 401 (1) of the Civil Aeronautics Act of 1938, as amended, of the purchase by Alaska Airlines, Inc., of the property and business of Cordova Air Service, Inc., and the transfer of the certificate of public convenience and necessity held by Cordova Air Service, Inc., to Alaska Airlines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on January 20, 1944, at 9:30 a. m. (eastern war time) in Room 5042, Commerce Building, 14th and Constitution Avenue NW., Washington, D. C., before Examiner Lawrence J. Koters.

Dated Washington, D. C., January 8, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-533; Filed, January 10, 1944; 11:32 a. m.]

[Docket No. 779]

PAN AMERICAN-GRACE AIRWAYS, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the alteration, amendment, and modification of the certificate of public convenience and necessity of Pan American-Grace Airways, Inc., under section 401 (h) of the Civil Aeronautics Act of 1938, as amended, to provide for a route terminal in the United States.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, in the above-entitled proceeding, that oral argument on the motion of Pan American Airways Corporation to dismiss the proceeding for want of jurisdiction is assigned to be held on January 31, 1944, at 10:00 a. m. (Eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before the Board.

Dated Washington, D. C., January 10, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-534; Filed, January 10, 1944; 11:32 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-518]

KENTUCKY NATURAL GAS CORP.

NOTICE OF APPLICATION

JANUARY 7, 1944.

Notice is hereby given that on January 1, 1944, Kentucky Natural Gas Corporation (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 (b) of the Natural Gas Act to abandon its service of natural gas to the Village of Flat Rock, Illinois.

The applicant states that it has been serving natural gas to the Village of Flat Rock pursuant to the terms of a contract dated July 25, 1942, and that, because of the failure of the Village to make payment for gas delivered in accordance with such contract, it desires to terminate service to, and its contract with, the Village. The applicant further states that, to its knowledge, there is no other wholesale natural-gas supplier from which the Village can obtain similar service.

Any person desiring to be heard or to make any protest with reference to this application should, on or before January 26, 1944, file with the Federal Power Commission a petition or protest in accordance with the rules of practice and regulations of the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-445; Filed, January 8, 1944; 10:18 a. m.]

[Docket No. G-519]

HOME GAS COMPANY

NOTICE OF APPLICATION

JANUARY 4, 1944.

Notice is hereby given that on January 1, 1944, the Home Gas Company (hereinafter

after referred to as "Applicant"), a New York Corporation with its principal place of business located at 267 Court Street, Binghamton, New York, filed with the Federal Power Commission an application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(a) Applicant proposes to acquire from Producers Gas Company of Olean, New York, approximately 10.05 miles of 6-inch pipe line and to recondition 9.2 miles thereof. This line extends in an easterly direction from Olean, New York, parallel to Applicant's existing pipe line.

(b) Applicant proposes to lease from Empire Gas and Fuel Company, Limited, of Wellsville, New York, and to operate, 21½ miles of 6-inch pipe line, which line is an extension of the same line that Applicant intends to purchase from Producers Gas Company.

(c) Applicant proposes to construct several cross-over connections between the pipe line proposed to be acquired, referred to in (a) above, and the pipe line proposed to be leased, referred to in (b) above, with the present pipe line of Applicant; and in connection therewith to construct five orifice meter stations and one positive meter station.

(d) Applicant proposes to install at its Wellsville, New York, compressing station, one 160 H. P. twin Cooper-Bessemer compressor and in connection therewith to install two new compressor cylinders.

As a result of the foregoing proposed construction, acquisition and operation, Applicant states that it will be enabled to transport an additional 10,000 Mcf of natural gas per day through its facilities, 5,000 Mcf thereof to Penn-York Natural Gas Corporation, 4,000 Mcf thereof to Penn-York Natural Gas Corporation for the account of North Penn Gas Company, and 1,000 Mcf thereof to Producers Gas Company.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 20th day of January 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-446; Filed, January 8, 1944;
10:18 a. m.]

[Docket No. G-510]

THE MANUFACTURERS LIGHT AND HEAT CO.,
ET AL.

NOTICE OF AMENDED APPLICATION

JANUARY 5, 1944.

In the matter of the Manufacturers Light and Heat Company, Manufacturers Gas Company, and Pennsylvania Fuel Supply Company.

Notice is hereby given that on January 1, 1944, The Manufacturers Light and Heat Company (hereinafter referred to as "Light and Heat"), Manufacturers

Gas Company (hereinafter referred to as "Manufacturers") and Pennsylvania Fuel Supply Company (hereinafter referred to as "Pennsylvania"), Pennsylvania corporations having their principal place of business at 800 Union Trust Building, Pittsburgh 19, Pennsylvania, filed with the Federal Power Commission a joint application, amendatory insofar as Light and Heat Manufacturers is concerned, for certificates of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(a) Light and Heat proposes to dismantle and remove two 1,100 H. P. compressors from its Hundred, West Virginia, compressor station, two 1,100 H. P. compressors from its Sedalia, West Virginia, compressing station, and one 825 H. P. compressor from its Rosbys Rock compressing station, and to install those units, together with one 1,000 H. P. unit proposed to be purchased from its affiliate United Fuel Gas Company, at its proposed Hughes River site, Murphy District, Ritchie County, West Virginia, together with other facilities necessary to construct a 6,200 H. P. compressing station complete with auxiliaries, cooling equipment, dehydration plant, piping, buildings and appurtenances.

(b) Light and Heat proposes to install an additional 1,300 H. P. unit at its Ellwood City compressing station, Pennsylvania, and to enlarge its existing dehydration plant at that location.

(c) Light and Heat proposes to construct 21.5 miles of 10-inch pipe line beginning at a point approximately 20 miles easterly of the Ellwood City compressing station and extending to the Rimersburg compressing station, Clarion County, Pennsylvania.

(d) Pennsylvania proposes to construct 12.2 miles of 10-inch pipe line beginning at the Rimersburg compressing station and extending to Truittsburg, Clarion County, Pennsylvania.

(e) Manufacturers proposes to construct 15.3 miles of 10-inch pipe line beginning at Truittsburg, Clarion County, Pennsylvania, and extending to the Iowa compressing station, Pine Creek Township, Pennsylvania. From the latter point, Manufacturers proposes to construct 30 miles of 8-inch line extending in a northerly direction to a point near McKinley compressing station, Elk County, Pennsylvania.

(f) Manufacturers proposes to install an additional 1,600 H. P. unit at its Iowa compressing station and enlarge the existing hydrocarbon control plant at that location.

As a result of the foregoing construction, applicants state that they will be enabled to receive from United Fuel Gas Company 20,000 Mcf of additional gas daily and transport same through their present and proposed facilities for resale in northern Pennsylvania and western New York.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 20th

day of January, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-450; Filed, January 8, 1944;
11:18 a. m.]

[Docket No. G-517]

LOUISVILLE GAS AND ELECTRIC COMPANY NOTICE OF APPLICATION

JANUARY 7, 1944.

Notice is hereby given that on December 30, 1943, Louisville Gas and Electric Company, a Kentucky corporation having its principal office at Louisville, Kentucky, filed with the Federal Power Commission its application for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, requesting authorization to sell and deliver natural gas for resale to the Indiana Utilities Corporation at the Kentucky-Indiana state line.

Any person desiring to be heard or to make any protest with reference to said application should, on or before January 25, 1944, file with the Federal Power Commission a petition or protest in accordance with the Rules of Practice and Regulations of the Commission.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-487; Filed, January 10, 1944;
9:53 a. m.]

[Project No. 432]

CAROLINA POWER & LIGHT COMPANY ORDER POSTPONING HEARING

JANUARY 8, 1944.

It appearing to the Commission that:

(a) On November 16, 1943, the Commission entered an order for hearing in the above-entitled matter to commence January 12, 1944;

(b) On December 22, 1943, a prehearing conference was held pursuant to the applicable provisions of the rules of practice and regulations;

(c) On January 5, 1944, a stipulation following the prehearing conference was filed, signed by Counsel for the Licensee and by Counsel for the Commission and this matter is now under consideration;

The Commission finds that good cause exists for the postponement of said hearing; and

The Commission orders that the hearing heretofore set for January 12, 1944, in the above-entitled matter, be and the same hereby is postponed subject to the further order of the Commission.

By the Commission.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-542; Filed, January 10, 1944;
12:01 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[RPS 16, Order 3]

HAWAIIAN RAW SUGAR PRODUCERS AND J. D. AND A. B. SPRECKELS CO.

ORDER AUTHORIZING ADJUSTABLE PRICING

Order No. 3 under § 1334.16 of Revised Price Schedule No. 16. Raw cane sugar.

An application requesting a change in the applicable maximum prices for raw cane sugars as provided in Revised Price Schedule No. 16, is now pending, which will require extended consideration. The request in particular involved proposed contracts between certain Hawaiian raw sugar producers and J. D. and A. B. Spreckels Company, doing business as to one of its departments under the name and style of Western Sugar Refinery. Contracts between these parties for the year 1943 were approved by the Administrator. The contracts now offered for approval are dated to become effective January 1, 1944. The production and distribution of raw cane sugar covered by proposed contracts is essential to the war effort and domestic economy.

The Administrator has found that authority to use adjustable pricing pending final action on the request for increase in the maximum prices of raw cane sugar applicable to United States Pacific Coast ports is necessary to promote the production and distribution of this essential product. It is further found that such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. Therefore, in accordance with § 1334.16 of Revised Price Schedule No. 16, it is ordered, That:

(a) Producers of raw cane sugar for delivery at United States Pacific Coast ports may sell and deliver, and purchasers may buy and receive raw cane sugar at said ports at prices to be adjusted upward after delivery to amounts not to exceed the maximum price determined at the time of final action by the Administrator upon the application of producers and refiners, such action to be taken by final disposition of the application, or amendment to the provision of Revised Price Schedule No. 16 applying to maximum prices at United States Pacific Coast ports. Prior to such final action, no payment for raw cane sugars shall be made or received in excess of the maximum prices prevailing at the time of delivery.

(b) This order shall automatically be revoked upon the change by the Office of Price Administration of maximum prices for producers of raw cane sugar sold at United States Pacific Coast ports, or upon denial of the application of producers and J. D. and A. B. Spreckels Company dated November 18, 1943. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 1, 1944.

Issued this 7th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-441; Filed, January 7, 1944;
4:49 p. m.]

[RPS 60, Order 11]

AMERICAN SUGAR REFINING CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 11 under § 1334.51 (a) (6) (i) of Revised Price Schedule No. 60: Direct consumption sugar.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The American Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to determine their maximum price for granulated sugar packed 35 pounds net in 5 gallon square tin cans by adding a differential of 90 cents per 100 pounds net to the maximum basis price.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective January 10, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-460; Filed, January 8, 1944;
12:09 p. m.]

[Rev. General Order 51]

AUTHORIZATION TO FIX COMMUNITY CEILING PRICES

General Order No. 51² is revised and amended to read as follows:

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and Executive Order No. 9328, it is hereby ordered:

(a) *Authority to fix community dollars-and-cents ceiling prices for food items—(1) Sales at retail.* Any Regional Office of the Office of Price Administration, and such other offices as may be authorized by the appropriate Regional Office, may, by order, fix community dollars-and-cents ceiling prices or other dollars-and-cents ceiling prices for sales at retail of any food item by all sellers (including "retail route sellers", "health food stores", and farmers) in any area or locality within its jurisdiction. No person may sell or offer to sell any such food item at prices higher than the dollars-and-cents ceiling prices fixed by any order issued hereunder.

(2) *Other sales.* Any Regional Office of the Office of Price Administration and such other offices as may be authorized by the appropriate Regional Office, may, by order fix dollars-and-cents ceiling prices for sales, other than at retail, in any area or locality within its jurisdiction of any food item.

(3) *Areas included in more than one district.* If the area for which it is deemed appropriate to fix community dollars-and-cents ceiling prices lies

within the jurisdiction of more than one district office of the Office of Price Administration, the district office for the district in which the majority of the sellers to be covered by the order is located shall have authority to issue an order fixing community dollars-and-cents ceiling prices for all sellers in the marketing area.

(4) *Request for community dollars-and-cents ceiling price.* If an order fixes a community dollars-and-cents ceiling price for any brand of a food item, the appropriate office may fix a community dollars-and-cents ceiling price for any other brand of the same food, on written request of any seller of that brand in the area covered by the order and on a showing of a reasonable volume of sales of that brand in such area.

(b) *Posting—(1) Selling prices.* Every person selling food items at retail must post his selling price for each food item for which a community dollars-and-cents ceiling price is fixed by any order issued hereunder. The selling price must be posted either on the item or at or near the place where the item is offered for sale.

(2) *Ceiling prices.* Every person selling food items at retail must also post, in a conspicuous place in the store or place of sale, a list of the community dollars-and-cents ceiling prices fixed hereunder for such food items, when that list is supplied by the Office of Price Administration. If the dollars-and-cents ceiling prices established hereunder do not replace the ceiling prices of a seller, he must continue to post his ceiling prices as required by any other applicable regulation.

(3) *Group of store.* Every person selling food items at retail must post the group his store or selling establishment is in. The group must be determined in accordance with Maximum Price Regulations Nos. 422³ and 423³ or the applicable maximum price regulation covering the sale at retail of the food item for which orders are issued hereunder, or in accordance with this Order or orders issued hereunder. The group must be posted on a sign clearly visible to purchasers, reading "OPA-1", "OPA-2", "OPA-3", or "OPA-4", whichever applies, or on a sign which may be furnished by the Office of Price Administration.

(c) *Additions allowed for deliveries—(1) Deliveries.* Orders issued hereunder shall set forth the schedule of delivery charges authorized for sellers under the applicable maximum price regulations. These charges shall continue to be applicable only to sellers covered by those regulations.

(2) *Mail-order sales.* Any person making mail-order sales of any food item for which community dollars-and-cents ceiling prices are established, may add to that ceiling price the actual express charge or postage to the purchaser's address.

(d) *Taxes.* Any tax upon or incident to the sale of any food item covered by any order issued hereunder, which the

² 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607.

³ 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031.

² 8 F.R. 6008, 6071, 8690, 9434.

statute or ordinance imposing the tax does not prohibit the seller from stating and collecting separately from the selling price, may be collected by the seller in addition to his selling price, if he states the tax separately.

(e) *Indirect price increases.* No person shall evade any of the provisions of any order issued hereunder by any stratagem, scheme or device. He must not, as a condition of selling any food, require a customer to buy anything else.

(f) *Sales slips and receipts.* Every person selling food items at retail must, if he has customarily given a sales slip, receipt or similar evidence of purchase, continue to do so. Furthermore, regardless of custom, every person must give any customer who asks for it a receipt showing the date of the sale, the name and address of the seller, the customer's name, each food item sold, and the price charged for the item.

(g) *Licensing.* The provisions of Licensing Order No. 1,⁴ licensing all persons who make sales under price control, are applicable to all sellers subject to this order or any order issued hereunder. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Prohibitions.* On and after the effective date of any order issued hereunder, any person who sells or offers to sell at a price higher than the ceiling price fixed by such order, or who otherwise violates any provisions of this order or any order issued hereunder shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also any person who in the course of trade or business buys at a price higher than the ceiling price fixed by any order issued hereunder, is subject to the criminal penalties and civil enforcement actions provided for by that act.

(i) *Force and effect of orders.* Any order issued or action taken in accordance with this order shall have the same force and effect as if issued or taken by the Price Administrator.

(j) *Authority of local War Price and Rationing Boards.* Each Regional Administrator or each District Director as may be authorized, may instruct any or all of the War Price and Rationing Boards in the region or district within his jurisdiction to receive complaints from the public, investigate prices charged by sellers covered by any order issued hereunder, hold hearings either on complaint or on its own motion, and make appropriate recommendations to its District Office.

(k) *Adjustment of prices.* Any Regional Office of the Office of Price Administration and any District Office as has been or may be authorized by order issued by the appropriate regional office to fix community dollars-and-cents ceiling prices hereunder, is hereby authorized to adjust for Group 3 or Group 4 stores in its community, that buy from

wholesalers, the dollars-and-cents ceiling prices fixed by it for such groups of stores.

(l) *Geographical applicability.* This order shall apply to the United States including the District of Columbia, but not to its territories and possessions.

(m) *Definitions.* (1) "Group of store" shall be determined in accordance with Maximum Price Regulation Nos. 422 and 423, or the applicable maximum price regulation covering the sale at retail of the food item for which orders are issued hereunder, or in accordance with this order or orders issued hereunder.

(2) "Group 1 store". A store is in Group 1 if it is an "independent" store with annual gross sales of less than \$50,000. A store is an "independent" store if it is not one of 4 or more stores under one ownership whose combined annual gross sales are \$500,000 or more.

(3) "Group 2 retail stores". A store is in Group 2 if it is an "independent" store with annual gross sales of \$50,000 or more, but less than \$250,000.

(4) "Group 3 retail stores". A store is in Group 3 if its annual gross sales are less than \$250,000, and if it is not an "independent" store.

(5) "Group 4 retail stores". A store is in Group 4 if its annual gross sales are \$250,000 or more.

(6) "Health food stores". A "health food store" is one whose sales to consumers consist principally of especially prepared vitamin-enriched foods customarily included in the trade term "health foods" which are usually sold for special dietary purposes.

(7) "Retail route seller". A "retail route seller" is a retailer who distributes food products to ultimate consumers who are not commercial, industrial or institutional users, either on a future delivery basis or otherwise, from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes. A retailer, most of whose business is the personal solicitation of orders by salesmen calling at the homes or places of business of ultimate consumers, who are not commercial, industrial or institutional users, shall also be considered a retail route seller. A retailer is a "retail route seller" only of the food products he sells in this way.

(8) "Sale at retail" means a sale to an ultimate consumer other than to a commercial, industrial or institutional user.

(9) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation,⁵ as amended, shall apply to the other terms used herein.

This Revised General Order No. 51 shall become effective January 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-478; Filed, January 8, 1944;
4:58 p. m.]

[R.E.R. 122. Rev. Order 47 Amdt. 2]

SOLID FUELS IN WASHINGTON AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF AUTHORIZED PRICES

Amendment No. 2 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuel sold and delivered by dealers.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, It is ordered, That Revised Order No. 47 under Revised Regulation No. 122 be amended in the following respects:

1. New paragraph (f1) is added to read as follows:

(f1) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for sales of "Colonial" anthracite by no more than 65 cents per ton in the egg, stove, nut, pea and buckwheat sizes; and by 55 cents for the rice size, if:

(1) The dealer keeps Colonial anthracite separate in storage and delivery, from any other kind of solid fuel; and

(2) The dealer keeps complete and accurate records of his purchases of Colonial anthracite for such time as this paragraph (fa) (2) is in effect. The records shall show: the date he receives the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent him by the producer.

(3) The "Colonial" anthracite is produced by Colonial Colliery Corporation at its mine at Natalie, Northumberland County, Pennsylvania and is sold as "Colonial" anthracite by the dealer.

2. In paragraph (1), the first and second sentences are amended to read as follows:

If you are a dealer subject to this order, you are governed by the licensing provisions of Supplementary Order No. 72, issued by the Office of Price Administration. This provides, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established.

3. Paragraph (m) is amended to read as follows:

(m) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

This Amendment No. 2 to Revised Order No. 47 under Maximum Price Regulation No. 122 shall become effective January 10, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in

⁵ 8 F.R. 3036, 3949, 4347, 4486, 4724, 4978, 4848, 6047, 6362, 8311, 8825, 9331, 11955, 13724.

⁴ 8 F.R. 13240.

accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-480; Filed, January 8, 1944;
4:59 p. m.]

Regional and District Office Orders.

[Region I Order G-3 Under RMFR 122]

BAGGED ANTHRACITE COAL IN METROPOLITAN BOSTON AREA

Revised Order No. G-3 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-3 under Revised Maximum Price Regulation No. 122 is revised and amended and is hereby issued as Revised Order No. G-3, to read as follows:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, and 1340.265 of Revised Maximum Price Regulation No. 122 for all Pennsylvania Anthracite coal in 25 pound paper bags sold and delivered in the Metropolitan Boston Area are modified, so that the maximum prices thereof shall be the prices (in cents per bag) hereinafter set forth. The prices for deliveries to retail stores and to consumers from trucks shall apply whenever the fuel is delivered within the Metropolitan Boston Area, regardless of the location of the seller's place of business. The prices for sales at dealer's yard, at auxiliary stations operated by dealers and at retail stores shall apply to sales at all such places which are located in the Metropolitan Boston area. Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Revised Order G-3, except that the prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122. Specifically, the prohibitions contained in § 1340.252 apply except to the extent that this Revised Order G-3 provides uniform terms of sale, and so forth.

(b) *Maximum prices.* All prices are expressed in cents per 25 pound paper bag.

(1) Price Schedule I; unmixed coal.

	Chest-nut	Stove	Pea
Sales to dealers (including retail stores), f. o. b. buyer's trucks at dealer's yard.....	20.5	20.5	18.5
Sales to ultimate consumers at dealer's yard.....	22.5	22.5	20.5
Sales to dealers (including retail stores), f. o. b. buyer's trucks at a dealer's auxiliary station.....	22	22	20
Sales to ultimate consumers at a dealer's auxiliary station.....	24.5	24.5	22.5

	Chest-nut	Stove	Pea
Delivered to retail stores.....	23	23	21
Sales to ultimate consumers from dealer's truck, delivered.....	26.5	26.5	24.5
Sales at retail stores:			
Chain stores.....	26.5	26.5	24.5
Independent outlet.....	27.5	27.5	25.5

(2) Price Schedule II; mixtures. (50% of each by weight).

	Chest-nut and stove	Chest-nut and pea	Stove and pea
Sales to dealers (including retail stores), f. o. b. buyer's trucks at dealer's yard.....	20.5	19.5	19.5
Sales to ultimate consumers at dealer's yard.....	22.5	21.5	21.5
Sales to dealers (including retail stores), f. o. b. buyer's trucks at a dealer's auxiliary station.....	22	21	21
Sales to ultimate consumers at a dealer's auxiliary station.....	24.5	23.5	23.5
Delivered to retail stores.....	23	22	22
Sales to ultimate consumers from dealer's truck, delivered.....	26.5	25.5	25.5
Sales at retail stores:			
Chain stores.....	26.5	25.5	25.5
Independent outlet.....	27.5	26.5	26.5

(c) *Fractions of a cent.* (1) In the case of sales to dealers and stores, f. o. b. buyer's trucks, at dealer's yard or auxiliary station, and sales delivered to retail stores, the total amount charged shall be adjusted to the next lower cent if an odd number of units is sold.

(2) In all other sales, including the sale of a single unit, the total amount charged may be adjusted to the next higher cent if an odd number of units is sold: *Provided, however,* That the seller shall allow the purchaser to buy an even number of units to the extent that the available supply is adequate.

(d) *Terms of sale.* Terms of sale may be net cash, but no additional charge may be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(e) *Definitions.* When used in this Revised Order G-3, the term: (1) "Metropolitan Boston Area" means the following cities and towns in the Commonwealth of Massachusetts: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn.

(2) "Pennsylvania Anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(3) "Dealer" means any person selling Pennsylvania Anthracite except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of a mine, or ground storage facility. The term includes retail stores except when the context indicates that retail stores are accorded separate treatment. For example, the term "dealer's yard" does not include a retail store but refers to the facilities of a dealer who

is equipped to receive coal in bulk by rail or water.

(4) "A dealer's auxiliary station" means any distribution facilities operated by a dealer at a point separate and apart from the dealer's yard, without rail connections and not in the immediate vicinity of the dealer's yard. The term shall also include any retail store operated by a dealer, or controlled by or under common control with a dealer.

(5) "Chestnut", "stove" and "pea" sizes of Pennsylvania Anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926).

(6) "Chain store" means a retail outlet which is a unit of four or more retail outlets under one ownership.

(7) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.

(8) "Truck" shall include a wagon or other vehicle used for the carriage and distribution of the bagged coal which is the subject of this order.

(9) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(f) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by purchasers, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck, the posting shall be on the truck.

(2) Every dealer selling to dealers and retail stores shall give to each such purchaser an invoice or similar document showing the date of the sale or delivery, the name and address of the seller and of the buyer, the kind (using the designations in this order) and number of bags sold, and the price charged per bag and in the aggregate.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the seller, the kind and quantity of coal sold to him or the price charged, the seller shall comply with the buyer's request as made by him.

(g) *Information requirements.* Each dealer shall furnish a copy of this Revised Order G-3 to each buyer, except ultimate consumers, at the time of the first sale to such buyer of 25 pound bags of Pennsylvania Anthracite on or after the effective date hereof, and shall similarly furnish to such buyers copies of any future amendments of this order.

(h) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(l) *Records.* Every person making a sale for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the price charged and the coal sold. The coal shall be identified in the manner in which it is described in this order.

(j) *Mixtures.* Mixtures other than those listed in Price Schedule II (paragraph (b) (2)) shall not be sold in the Metropolitan Boston Area by any seller until he has secured an approved maximum price from the Regional Administrator.

(k) *State statutes and regulations.* Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts concerning the sale of coal in paper bags. All bags shall be clearly labeled with information as to the contents thereof in accordance with said statutes and any rules and regulations of the Division on the Necessaries of Life of the Department of Labor and Industries of the Commonwealth of Massachusetts.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

This Revised Order No. G-3 shall become effective January 4, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of December 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-403; Filed, January 7, 1944;
12:12 p. m.]

[Region I Order G-3 Under MPR 376,
Amdt. 1]

CARROTS IN NEW ENGLAND

Amendment No. 1 to Order No. G-3 Under Maximum Price Regulation No. 376. Certain fresh fruits and vegetables.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, *It is hereby ordered*, That the second paragraph of the footnote in paragraph (h) be amended to read as set forth below:

"Freight" means the actual cost, but not in excess of the lowest available rate, of

pre-cooling, initial icing, and refrigeration services, of freight by common or contract carrier, and of unloading of cars at the carlot receiving point, except that in the case of carrots originating in California, Texas, Arizona, Colorado, New Mexico, Arkansas, Kansas, Louisiana, Missouri, or Oklahoma "freight" means \$1.50 per L. A. crate of at least six dozen bunches.

This amendment shall be effective December 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued December 27, 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-403; Filed, January 7, 1944;
12:13 p. m.]

[Region I Order G-6 Under RMPR 122,
Amdt. 3]

BITUMINOUS COAL IN HARTFORD, CONNECTICUT AREA

Amendment No. 3 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following proviso is added to subparagraph (l) of paragraph (d):

Provided, however, That this Order G-6 shall not apply to coals produced by the Walker Coal Mining Company at its Big Sewell #2 Mine (Mine Index #1272).

2. Subparagraph (2) of paragraph (d) is revoked.

This Amendment No. 3 to Order No. G-6 shall become effective December 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December, 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

[F. R. Doc. 44-404; Filed, January 7, 1944;
12:12 p. m.]

[Region I Order G-23 Under 18 (c), Amdt. 1]

CHARCOAL IN CERTAIN NEW ENGLAND AREAS

Amendment No. 1 to Order No. G-23 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Order No. G-23 under § 1499.18 (c) of the General Maximum

Price Regulation is hereby amended in the following respects:

(1) The words "industrial and commercial" in preliminary paragraph of paragraph (a) are deleted.

(2) The words "industrial or commercial" in the first line of subparagraph (1) of paragraph (c) are deleted and the word "an" which immediately preceded those words is amended to read "a".

(3) The words "industrial or commercial" are deleted in subparagraph (1) of paragraph (c) at the second point where those words appear in said subparagraph.

(4) The words "industrial or commercial" are deleted from subparagraphs (2) and (3) of paragraph (c) at all four points where those words appear in said subparagraphs.

(5) Paragraph (d) is revoked.

This Amendment No. 1 to Order No. G-23 shall become effective December 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

[F. R. Doc. 44-405; Filed, January 7, 1944;
12:12 p. m.]

[Region I Order G-32 Under 18 (c)]

FIREWOOD IN CONNECTICUT

Order No. G-32 under section 18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, it is hereby ordered:

(a) *Maximum prices for firewood.* Regardless of any contract, agreement or other obligation, no person shall sell or deliver in the State of Connecticut and no person shall buy or receive in the course of trade or business in the State of Connecticut any firewood at prices higher than the maximum prices set forth in Appendix A. Lower prices than the maximum prices established by this order may be charged and paid.

(b) *Evasion.* (1) The price limitations set forth in this order shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to firewood in the State of Connecticut, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(2) Without in any way limiting the generality of the foregoing, the following practices are forbidden:

(i) The sale, delivery, purchase or acceptance of firewood in units other than a cord, halfcord, quartercord, or any multiples thereof, or

(ii) Requiring as a condition of any sale or delivery of firewood that the buyer use the services of the seller in stacking the purchased firewood on the premises of the buyer.

(3) The maximum prices established in this order shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the price would have been decreased on March 1, 1942.

(4) The seller shall furnish to the purchaser at the time of the delivery of firewood a receipt signed by the seller setting forth:

(i) The kind, size, price and number of cords of firewood sold.

(ii) A statement that each cord contains 128 cubic feet of compactly piled wood. If, however, such firewood is in cut lengths of 12", 16", or 24", the statement shall set forth that each such cord contains the quantity of wood sawed from 128 cubic feet of compactly piled wood. Where fractional parts of a cord are sold, the fractional contents shall be similarly described, computed and stated.

(c) *Definitions.* (1) When used in this order the term

(i) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons or the legal successor or representative of any of the foregoing and includes the United States, or any government, or any of its political subdivisions, or any agency of any of the foregoing.

(ii) A "cord" shall mean (1) a standard cord of 128 cubic feet of compactly piled firewood in 4 foot lengths, or (2) in the case of cut lengths, the amount of firewood cut from a standard cord of 4 foot wood. This order does not recognize the term "running cord" or any other similar term, except as such term may be used to describe a proportion of a cord of wood containing 128 cubic feet.

(iii) "Firewood" means any wood prepared and intended for consumption as fuel.

(iv) "Cordwood" means any firewood so prepared that at least 80% thereof consists of cleft wood or merchantable body wood in the round of desirable species.

(v) "Slab wood" means the refuse except sawdust and bark not adhering to the wood from sawing any logs.

(vi) "Hardwood cordwood" and "hardwood slabwood" means cordwood and slabwood respectively cut from the following deciduous woods: oak, beech, black, yellow, and white birch, hard and soft maple, hickory, ash, cherry, elm and gum.

(vii) "Softwood cordwood" and "softwood slabwood" means cordwood and slabwood respectively cut from any trees other than those set forth in paragraph (c) (1) (vi) of this order.

(viii) "Mixed slabwood" means a mixture of hardwood slabwood and softwood slabwood containing not less than 50% of quantity of hardwood slabwood in the total quantity delivered on any individual sale of mixed slabwood.

(ix) "Delivered" means deposited on or at the premises designated by the buyer.

(2) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to the other terms used herein.

(d) *Appendix A; maximum prices for firewood.* (1) To the maximum prices set forth in this Appendix A, the seller may add a charge at a rate not to exceed \$1.00 per cord for his services in neatly stacking firewood in the house or in any covered outbuilding of the buyer if the buyer requests such services.

(2) When used in this Appendix A, Zone 1 shall mean the following towns: Bridgeport, Darien, East Hartford, Fairfield, Greenwich, Hartford, Milford, New Britain, New Canaan, New Haven, New-

ington, Norwalk, Stamford, Stratford, Waterbury, West Hartford, West Haven, Westport, Wethersfield.

Zone 2 shall mean the following towns: Ansonia, Avon, Beacon Falls, Berlin, Bloomfield, Bristol, Cheshire, Cromwell, Danbury, Derby, East Haven, Easton, Farmington, Glastonbury, Groton, Hamden, Manchester, Meriden, Middletown, Naugatuck, New London, Newtown, North Haven, Norwich, Orange, Plainville, Portland, Putnam, Rocky Hill, Seymour, Shelton, Simsbury, Southington, Thompsonville, Torrington, Trumbull, Wallingford, Watertown, Weston, Wilton, Windham, Windsor, Windsor Locks, and Woodbridge.

Zone 3 shall mean all other towns in the State of Connecticut not included in Zone 1 or Zone 2.

HARDWOOD CORDWOOD

	At road-side lengths, 20'-4'6" per cord	Delivered into reseller's yard, 4' lengths per cord	At road-side cut lengths, 12'-30" per cord	At retail yard, cut lengths, 12'-30"			Delivered into yard of consumer, 30'-4'6"; cut lengths 12'-30" lengths			
				Per cord	Per 1/4 cord	Per 1/4 cord	Per cord	Per cord	Per 1/4 cord	Per 1/4 cord
Zone 1.....	\$10.00	\$14.00	\$12.00	\$17.00	\$8.50	\$4.60	\$18.00	\$20.00	\$10.00	\$5.00
Zone 2.....	10.00	12.50	12.00	15.00	7.50	4.00	15.00	17.00	8.50	4.75
Zone 3.....	10.00	11.50	12.00	13.50	6.75	3.50	12.50	14.50	7.25	4.10

SLABWOOD

	Hardwood slabwood				Softwood slabwood				Mixed slabwood			
	At mill all lengths per cord	Delivered into consumer's yard, cut lengths, 12'-30"			At mill all lengths per cord	Delivered into consumer's yard, cut lengths, 12'-30"			At mill all lengths per cord	Delivered into consumer's yard, cut lengths, 12'-30"		
		Per cord	Per 1/4 cord	Per 1/4 cord		Per cord	Per 1/4 cord	Per 1/4 cord		Per cord	Per 1/4 cord	Per 1/4 cord
Zone 1.....	\$4.50	\$12.00	\$6.00	\$3.50	\$2.50	\$10.00	\$5.00	\$3.00	\$3.50	\$11.00	\$5.50	\$3.25
Zone 2.....	4.50	11.00	5.50	3.25	2.50	9.00	4.50	2.75	3.00	10.00	5.00	3.00
Zone 3.....	4.50	10.00	5.00	3.00	2.50	8.00	4.00	2.50	3.00	9.00	4.50	2.75

(e) On and after its effective date, this Order G-32 supersedes Connecticut State Price Order No. 1 (redesignated Order G-1 under Supplementary Regulation 14 to the GMPR) issued October 16, 1942, as to all sales and deliveries for which maximum prices are fixed by this order.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective December 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-406; Filed, January 7, 1944;
12:13 p. m.]

[Region II Rev. Order G-3 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED
NEW YORK BOROUGHES

Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

Pennsylvania anthracite delivered by dealers in the Boroughs of Manhattan, Bronx, Brooklyn and Queens, City of New York, State of New York.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 as amended, of Revised Maximum Price Regulation No. 122, and for the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

(a) *Maximum prices established by this order.* The maximum prices of dealers for Pennsylvania anthracite, in the sizes and quantities set forth in Schedules I to IV hereof (contained in paragraphs (d) to (g), respectively), delivered to or at any point in the zones described in such Schedules, shall be the applicable zone maximum prices prescribed therein. The maximum delivered price shall be determined by reference to the appropriate schedule of this order covering the zone to which the delivery is made, whether the dealer is located in one of said four zones, or elsewhere. The maximum price for a "yard" sale, as herein defined, shall be determined by reference to the appropriate schedule covering the zone in which the purchaser

takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, no person shall

(1) Sell or, in the course of trade or business, buy Pennsylvania anthracite, of the sizes and in the quantities set forth in the schedules herein, at prices higher than the applicable maximum prices specified in such schedules, though less than maximum prices may be charged, paid or offered;

(2) Obtain any price higher than the applicable maximum price by changing the discounts authorized herein; or charging a price for any service set forth in the schedules higher than the maximum price prescribed therein for such service; or charging for any service for which a charge is not specifically authorized by the applicable schedule; or increasing any interest rate on debts over that charged in December 1941; or using any other device by which a price higher than the applicable maximum price is obtained; or using any tying agreement or imposing any requirement that anything other than the fuel requested by the buyer be purchased by him.

(c) *Method of computing maximum prices.* The specific maximum prices for sales of Pennsylvania anthracite on a delivered basis, in the sizes and quantities set forth in Schedules I to IV hereof (contained in paragraphs (d) to (g), respectively), shall be computed by deducting from the applicable prices set forth in paragraph (1) (i) of each schedule, the amount of the discounts set forth in paragraph (1) (ii) of each schedule. The amount of such discounts shall be separately stated. There may be added, for certain services actually rendered by the dealer at the request of the purchaser, an amount not in excess of the amount specified in paragraph (1) (iii) of each schedule as the maximum authorized charge for such service, provided such amount is separately stated. The required discounts and the maximum authorized service charges are generally stated in terms of an amount per net ton, or per 100 lbs. In the case of deliveries of fractions of a net ton, or fractions of 100 lbs., respectively, the required discounts and the maximum authorized service charges shall be apportioned accordingly, to the nearest full cent. The specific maximum prices for "yard" sales shall be the applicable prices set forth in paragraph (2) of each schedule.

(d) *Schedule I, covering Manhattan and part of the Bronx.* Schedule I establishes specific maximum prices for certain sizes of Pennsylvania anthracite, in certain specific quantities, delivered to or at any point within Zone I. Zone I embraces the Borough of Manhattan and that part of the Borough of the Bronx which is west and south of the Bronx River.

(1) *Delivered sales—(1) Sales made on a "sidewalk delivery" basis.*

Size	Per net ton for sales of 5 tons or more	Per net ton for sales of less than 5 tons, but more than ½ ton	½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.....	\$13.75	\$14.00	\$7.25	\$0.85	\$0.10
Pea.....	12.05	12.50	6.45	.85	.09
Buckwheat.....	9.25	9.80	5.15		
Rice.....	8.00	8.85	4.70		
Barley.....	7.00	7.85	4.20		

(ii) *Required discounts.* The following discounts, per net ton, shall be deducted from the prices set forth in paragraph (1) (i) of this schedule for payment on or before the tenth day of the month immediately following the month during which delivery was made:

Sizes:	Required discounts (cents)
Broken, egg, stove, nut.....	15
Pea, buckwheat.....	10
Rice, barley.....	5

(iii) *Maximum authorized service charges.*

Special service rendered:	Maximum authorized charge (cents per net ton)
Single trim.....	30
Double trim.....	45
Regular labor.....	60

(Where it is necessary to move the coal by regular labor from the truck to the chute or window, and, then, as a separate operation, from the cellar floor to the bin, two, but no more than two, regular labor charges may be made.)

Carry labor:	
No more than 2 steps up or down.....	80
For each additional 2 steps up or down.....	5

(1) *Delivered sales—(1) Sales made on a "sidewalk delivery" basis.*

Size	Per net ton for sales of 5 tons or more	Per net ton for sales of 3 tons or more, but less than 5 tons	Per net ton for sales of more than ½ ton, but less than 3 tons	½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.....	\$13.75	\$14.20	\$14.45	\$7.50	\$0.95	\$0.10
Pea.....	12.05	12.50	12.75	6.65	.85	.09
Buckwheat.....	9.25	9.80	9.80	5.15		
Rice.....	8.00	8.85	8.85	4.70		
Barley.....	7.00	7.85	7.85	4.20		

(ii) *Required discounts.* The following discounts, per net ton, shall be deducted from the prices set forth in paragraph (1) (i) of this schedule for payment on or before the tenth day of the month immediately following the month during which delivery was made:

Sizes:	Required discounts (cents)
Broken, egg, stove, nut.....	15
Pea, buckwheat.....	10
Rice, barley.....	5

(iii) *Maximum authorized service charges.*

Special service rendered:	Maximum authorized charge (cents per net ton)
Single trim.....	30
Double trim.....	45
Regular labor.....	60

Maximum authorized charge (cents per net ton)

(Where it is necessary to move the coal by regular labor from the truck to the chute or window, and, then as a separate operation, from the cellar floor to the bin, two, but no more than two, regular labor charges may be made.)

Carry labor:	
No more than 2 steps up or down.....	80
For each additional 2 steps up or down.....	5

Cents per 100 lbs.

Carrying upstairs, in deliveries of 100 lbs. or more but not more than one ton, for each full flight of stairs above the ground floor..... 10

(Where a charge is made for carrying upstairs, no charge may be made for labor.)

(2) "Yard" sales.

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.	\$11.75	\$0.85	\$0.09
Pea	9.95	.75	.03
Buckwheat	8.15		
Rice	7.20		
Barley	6.90		

(f) *Schedule III, covering Brooklyn and Western Queens.* Schedule III establishes specific maximum prices for certain sizes of Pennsylvania Anthracite, in certain specific quantities, delivered to or at any point within Zone III. Zone III embraces the Borough of Brooklyn and that part of the Borough of Queens which is referred to herein as Western Queens, and is defined in paragraph (r) (12) of this order.

(1) *Delivered sales—(i) Sales made on a "delivered to storage" basis.*

Size	Per net ton for sales of more than ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.	\$14.20	\$7.35	\$0.95
Pea	12.65	6.60	.85
Buckwheat	9.60	5.05	
(Rescreened)	10.10	5.30	
Rice	8.50	4.50	
(Rescreened)	9.00	4.75	
Barley	7.50	4.00	

(ii) *Required discounts.* There shall be deducted from the prices set forth in paragraph (1) (i) of this schedule, on sales and deliveries of broken, egg, stove, nut and pea sizes of Pennsylvania anthracite, a discount of twenty-five cents (25¢) per net ton, for cash on delivery. For payment on or before the tenth day of the month immediately following the month during which delivery was made, there shall be deducted from such prices, on sales and deliveries of all the sizes of Pennsylvania anthracite set forth in the schedule, a discount of one percent (1%) of the selling price.

(iii) *Maximum authorized service charges.*

Special service rendered:	Maximum authorized charge (cents per 100 lbs.)
Carrying upstairs, in deliveries of 100 lbs. or more, but not more than one ton, for each full flight of stairs above the ground floor	10
	Per net ton

Deliveries not within the meaning of "delivered to storage", as hereinafter defined, provided that there shall be no extra charge for deliveries to those premises to which delivery was made without extra charge prior to January 1, 1942.... \$1.00

(2) "Yard" sales.

Size	At yards, etc., receiving other than via water, per net ton, for sales of ½ ton or more	At yards, etc., receiving via water, per net ton, for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.	\$12.00	\$11.75	\$0.85	\$0.09
Pea	10.45	10.20	.75	.03
Buckwheat	8.15	7.90		
Rice	7.20	6.95		
Barley	6.15	5.90		

(g) *Schedule IV, covering Eastern Queens.* Schedule IV establishes specific maximum prices for certain sizes of Pennsylvania anthracite, in certain specific quantities, delivered to or at any point within Zone IV. Zone IV embraces that part of the Borough of Queens not included in Zone III, and which is referred to herein as Eastern Queens and is defined in paragraph (r) (13) of this order.

(1) *Delivered sales—(i) Sales made on a "delivered to storage" basis.*

Size	Per net ton for sales of more than ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.	\$14.45	\$7.50	\$0.95
Pea	12.90	6.70	.85
Buckwheat	10.35	5.45	
Rescreened	10.60	5.55	
Rice	9.40	4.95	
Rescreened	9.65	5.10	
Barley	8.40	4.45	

(ii) *Required discounts.* There shall be deducted from the prices set forth in paragraph (1) (i) of this schedule, on sales and deliveries of all the sizes of Pennsylvania anthracite set forth therein, a discount of twenty-five cents (25¢) per net ton for cash on delivery; or a discount of one (1%) percent of the selling price for payment on or before the tenth day of the month immediately following the month during which delivery was made.

(iii) *Maximum authorized service charges.*

Special service rendered:	Maximum authorized charge (cents per 100 lbs.)
Carrying upstairs, in deliveries of 100 lbs. or more, but not more than one ton, for each full flight of stairs above the ground floor	10
	Per net ton

Deliveries not within the meaning of "delivered to storage", as hereinafter defined, provided that there shall be no extra charge for deliveries to those premises to which delivery was made without extra charge prior to January 1, 1942.... \$1.00

(2) "Yard" sales.

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut.	\$12.25	\$0.85	\$0.09
Pea	10.70	.75	.03
Buckwheat	8.40		
Rice	7.45		
Barley	6.45		

(h) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "delivered sale" or a "yard sale", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(i) *Addition of increases in suppliers' maximum prices prohibited.* The specific maximum prices established by this order may not be increased to reflect, in whole or in part, any subsequent increase to a dealer in his suppliers' maximum price for the same fuel. The specific maximum prices already reflect increases to dealers in their suppliers' maximum prices occurring up to the effective date of this order. If increases in suppliers' maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* A dealer subject to this order may collect, in addition to the specific maximum prices established herein, provided he states it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased. A retail dealer subject to this order may also collect, in addition to the specific maximum prices established herein, provided he states it separately,

the amount of the N. Y. C. sales tax payable by such dealer. On sales to the United States or any agency thereof, you need not state this tax separately.

(k) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Storage services.* Notwithstanding any prohibitions in this order against the imposition of charges for services other than those specifically authorized herein, a dealer may request the Regional Administrator to establish a price for rendering storage services where, during December 1941, the dealer did not render the same or substantially similar storage service without charge. The application shall set forth in writing:

(1) A detailed description of the services to be rendered.

(2) The classes of purchasers to whom it will be rendered.

(3) Whether the service was rendered in December 1941 and, if so, the charge, if any, then imposed.

(4) Whether the service was rendered after December 1941 and, if so, the charge, if any, imposed.

(5) A proposed price for the service which shall be shown to the satisfaction of the Regional Administrator to be reasonable in relation to the actual costs the dealer will incur in rendering the service.

(6) Any other pertinent information the Regional Administrator may request.

Where the Regional Administrator believes that the establishment of a maximum price for such service will not impede essential distribution of anthracite within the area covered by Order No. G-3, and is otherwise warranted, he shall establish a maximum price therefor. The maximum price for such service shall be a price specifically authorized in writing by the Regional Administrator.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the Petition shall be filed in the New York Regional Office of the Office of Price Administration.

(n) *Applicability of other regulations.* If you are a dealer-subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid

fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all his maximum prices (as set forth in the applicable schedule or schedules of this order) in his place of business in a manner plainly visible to and understandable by the purchasing public.

(2) Every dealer subject to this order shall, except in the case of Pennsylvania anthracite sold in bags in lots of one hundred pounds or less, not exceeding a total of one-half ton, give each purchaser a sales slip or receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts, the authorized service charges and the taxes, which must be deducted from, or which may be added to, the specific maximum prices prescribed herein.

In the case of sales of Pennsylvania anthracite in bags in lots of one hundred pounds or less not exceeding a total of one-half ton, every dealer subject to this order shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if such dealer during December 1941 customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to the criminal penalties, civil and enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. 1, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling Pennsylvania anthracite of the sizes set forth in the schedules herein, or a person who sold Pennsylvania anthracite of such sizes subject to Revised Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered by Dealers, or subject to Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities other

than Producing Facilities—Dealers, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Distributor" means a person who purchases Pennsylvania anthracite at or for delivery from a mine or a preparation plant operated as an adjunct of any mine or briquette plant, for resale, and resells the same in not less than cargo or railroad carload lots, without physically handling such anthracite, and any person acting as an agent of such distributor in the sale of Pennsylvania anthracite.

(5) "Sidewalk delivery" means delivery to the point nearest and most accessible to the buyer's place of storage, and at which the coal can be discharged directly from the seller's truck.

(6) "Delivered to storage" means delivery to the buyer's bin or storage space. The seller's truck shall be driven to the point nearest and most accessible to the bin or storage space designated by the buyer. If the distance to be traversed in delivering the coal from the truck to the bin or storage space is no greater than 90 feet, and if the coal is moved by wheelbarrow or barrel and need be dumped no more than once after removal from the truck, no service charge may be made in connection with such delivery.

(7) "Yard" sales means delivery into the buyer's possession or custody at the yard, dock, barge, car, or at a place of business of the dealer other than at his truck or vehicle.

(8) "Single trim" refers in general to the movement of coal by shovel, usually performed to make room for more coal to be delivered, and effected by a downward movement of the shovel to make the coal slide.

(9) "Double trim" refers in general to the movement of coal by shovel from one place to another, effected by heaving, tossing or lifting the coal by shovel.

(10) "Regular labor" refers in general to the movement of coal by wheelbarrow or barrel.

(11) "Carry labor" refers in general to the labor involved in carrying coal in baskets from the truck to the bin or storage space.

(12) "Western Queens" refers to that part of the borough of Queens, in the City of New York, lying generally west of the following boundary lines: Starting at a point at the foot of Lefferts Boulevard at Jamaica Bay; thence in a northerly direction along Lefferts Boulevard, to the intersection of Lefferts Boulevard and Kew Gardens Road; then in a northwesterly direction along Kew Gardens Road to the intersection of Kew Gardens Road, Queens Boulevard and Union Turnpike; thence in a northeasterly direction along Union Turnpike to the intersection of Union Turnpike and Francis Lewis Boulevard; thence in a northwesterly direction along Francis Lewis Boulevard to the intersection of Francis Lewis Boulevard and Willets Point Boulevard; thence northeasterly along Willets Point Boulevard to the Long Island Sound shore line. Premises on the eastern or southern side of the boulevards, roads and turnpike which form the boundary line separating West-

ern Queens from Eastern Queens shall be deemed a part of Western Queens for the purposes of this order.

(13) "Eastern Queens" refers to that part of the Borough of Queens not included in Western Queens as herein defined.

(14) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice and barley shall refer to the same sizes of the same fuels as were sold and delivered in the boroughs of Manhattan, Bronx, Brooklyn, and Queens with such designation during December 1941.

(15) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.265 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Automatic roll-back pursuant to Amendment No. 3 to Order No. G-3 as originally issued.* Amendment No. 3 to Order No. G-3, issued on October 21, 1943 and effective October 22, 1943, by its terms provided that all dealers subject thereto would, on April 1, 1944, revert to the schedules of prices in effect immediately prior to the amendment. Since that amendment increased "delivered sales" prices by 30¢ per net ton and 15¢ per net ½ ton, and "yard sales" prices by 10¢ per net ton, all dealers subject to this Revised Order shall, on and after April 1, 1944, reduce their maximum prices for "delivered sales" as set forth herein by 30¢ per net ton and 15¢ per net ½ ton, and their maximum price for "yard sales" as set forth herein by 10¢ per net ton. No such reduction is required for sales under ½ ton. This roll-back shall be in addition to any further roll-back that may be occasioned by a reduction in supplier's maximum prices.

(t) *Right of amendment or revocation.* The Regional Administrator reserves the right at any time to amend, revoke or rescind this order, or any provision thereof.

(u) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122 except as to any sales or deliveries of solid fuels not specifically subject to this order.

(v) *Effect of order on Order No. G-3 as originally issued, and as amended, and on Order No. G-23.* Order No. G-3 under Revised Maximum Price Regulation No. 122, as issued on February 3, 1943, and as subsequently amended, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-3.

Effective date. This revised order shall become effective December 14, 1943.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-401; Filed, January 7, 1944;
12:10 p. m.]

[Region II Order G-26 Under RMPR 122]

"COLONIAL", "SILVER BROOK", AND "SALEM HILL" ANTHRACITE SOLD SUBJECT TO DESIGNATED AREA DOLLARS-AND-CENTS ORDERS

Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) Dealers making sales of "Colonial", "Silver Brook" and "Salem Hill" anthracite, as hereinafter defined, in communities subject to the area dollars-and-cents orders listed in paragraph (c) of this order, may redetermine the maximum price for sales of such "Colonial", "Silver Brook" and "Salem Hill" anthracite in accordance with the following provisions:

(1) There may be added to the maximum per net ton prices for designated sizes of anthracite established in those orders, for sales and deliveries within the territorial limits of those orders, an amount not to exceed the following:

For Sales of "Colonial" Anthracite—Permitted Per Net Ton Increase Above Applicable Area Ceiling Price for Anthracite

Size:	
Broken, egg, stove, nut, pea and	
buckwheat	\$0.65
Rice55
Barley10
Buckwheat #410

For Sales of "Silver Brook" Anthracite—Permitted Per Net Ton Increase Above Applicable Area Ceiling Price for Anthracite

Size:	
Broken, egg, stove, nut, pea and	
buckwheat	\$0.30
Rice25

For Sales of "Salem Hill" Anthracite—Permitted Per Net Ton Increase Above Applicable Area Ceiling Price for Anthracite

Size:	
Egg and stove	\$0.70
Nut30
Pea25
Rice10

(2) For sales of fractions of a net ton, but not less than ¼ ton, dealers may take a proportionate increase based upon the per net ton increases in the preceding subparagraph.

(3) *Conditions and limitations; commingling.* To be eligible for the increases authorized by this order, the dealer must keep each kind of anthracite specified herein separate, in storage and delivery, from any other kind of solid fuel, and sell and invoice it under the name herein designated, except that a dealer, if he satisfied the following conditions, may commingle different kinds of fuel including those herein specified, and price as indicated:

Where a purchaser expressly requests that any kind or size of anthracite specified herein be commingled in one delivery with another kind or size of anthracite specified herein, or with any other kind or size of solid fuel, then, and in that event, if those kinds and sizes

are separately weighed at the point of loading, the dealer may commingle those kinds and sizes in the truck or other vehicle in which the delivery is made. The maximum price for solid fuels so commingled shall be the weighted average of the maximum prices for each element in the combination. The invoice shall separately state the maximum price for the quantity of each kind and size in the combination.

Where anthracite specified herein is commingled under conditions other than above defined, the maximum price for the combination shall be the maximum price established by regulation or order for the least expensive kind or size of fuel in the combination.

(b) *Records.* Every dealer making sales of solid fuels subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration complete and accurate records of the quantities of "Colonial", "Silver Brook", and "Salem Hill" anthracite purchased and sold hereunder, and a record of every sale of such fuel, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. Where such fuel is sold in combination with solid fuels not subject to this order, the latter shall be identified in the manner described in the regulation or order governing their sale by dealers. The record shall also state separately each service rendered and the charge made for it.

(c) *Area dollars-and-cents orders subject to increases set out in paragraph (a) herein.* The following orders and any subsequent revisions thereof:

Second Revised Order No. G-1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-2 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-5 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-6 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-8 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-9 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-11 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-12 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-14 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-15 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-16 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-18 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-19 under §1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-20 under §1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-22 under §§1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-24 under §§1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-25 under §§1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

(d) *Definitions and explanations.* When used in this Order No. G-26, the term:

(1) "Colonial" anthracite means anthracite produced by the Colonial Colliery Corporation of Philadelphia, Pennsylvania, at its mine at Natalie, Northumberland County, Pennsylvania, and marketed under the trade name "Colonial".

(2) "Silver Brook" anthracite means anthracite produced by the Haddock Mining Company of Wilkes-Barre, Pennsylvania, at the Deringer Colliery, Fern Glen, Luzerne County, Pennsylvania, and the Tomhicken Colliery, Sugar Loaf Township, Luzerne County, Pennsylvania, which is shipped to the Beaver Meadow Breaker, Beaver Meadows, Carbon County, Pennsylvania, for preparation, and which is marketed under the trade name "Silver Brook".

(3) "Salem Hill" anthracite means anthracite produced by the Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and marketed under the trade name "Salem Hill".

(4) The sizes of anthracite described herein as broken, egg, stove, nut, pea, buckwheat, rice, barley, and buckwheat #4 shall refer to the same sizes of the same fuel as were sold and delivered with such designation during December 1941.

(5) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§1340.255 and 1340.260 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke, or rescind this order, or any provision hereof, at any time.

Effective date. This Order No. G-26 shall become effective December 31, 1943.

NOTE: The record-keeping and reporting requirements of the order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-410; Filed, January 7, 1944;
12:15 a. m.]

[Region IV Order G-2 Under 75 (a) (9)]

FLUID MILK IN BUCHANAN AND TAZEWELL COUNTIES, VA.

Order No. G-2 under §1499.75 (a) (9) of the General Maximum Price Regula-

tion. Adjustment of approved fluid milk prices in Buchanan and Tazewell Counties, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region IV by §1499.75 (a) (9) (ii) of the General Maximum Price Regulation as amended, it is hereby ordered:

(a) *Adjusted maximum prices for approved fluid milk.* On and after January 1, 1944, the maximum prices for approved fluid milk sold and delivered to any person within Buchanan and Tazewell Counties, Virginia, at wholesale or retail in glass or paper containers of one quart or less shall be:

	Quarts		Pints		½-pints	
	Glass	Paper	Glass	Paper	Glass	Paper
Wholesale.....	14	15	8	9	4	5
Retail out-of-store.....	16	17	9	10	5	6
Retail home delivered.....	16	17	9	10	5	6

Provided, That no person subject to this order shall establish a maximum price under this order at wholesale or retail which exceeds his price established under §1499.2 of the General Maximum Price Regulation by more than 1½¢ per quart.

(b) *Definitions.* Buchanan County and Tazewell County, Virginia, mean the territories lying within the established boundaries of Buchanan and Tazewell Counties, Virginia.

(c) *Applicability of General Maximum Price Regulation and other supplementary orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this order remain subject to all of the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have heretofore or may be hereafter issued.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective January 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 30, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-407; Filed, January 7, 1944;
12:13 p. m.]

[Region IV Order G-13 Under RMPR 122]

SOLID FUELS IN WILMINGTON, N. C.

Order No. G-13 under §1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Wilmington in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator of the Office of Price Administration by §1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point within the corporate limits of the City of Wilmington, North Carolina, and the area lying within twenty miles thereof by the most direct highway route.

(2) This order contains a price schedule applicable to sales of low volatile bituminous coals from District 7, high volatile bituminous coals from District 8, and Pennsylvania anthracite, Virginia anthracite, and Briquettes, as well as Raven Red Ash Egg Coal.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-13, but less than maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than maximum price by

(i) Charging for a service which is not expressly requested by the buyer and which is not specifically authorized by this order.

(ii) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.*

(1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made to any point within the corporate limits of the City of Wilmington, North Carolina, and the area lying within twenty miles thereof by the most direct highway route.

(i) *"Direct delivery or domestic" basis:*

LOW VOLATILE BITUMINOUS COALS FROM
DISTRICT NO. 7

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg, stove, or lamp.....	\$12.23	\$6.41	\$3.23
Stoker.....	9.20	4.61	2.31
Run-of-mine.....	9.70	5.11	2.63

HIGH VOLATILE BITUMINOUS COALS FROM
DISTRICT NO. 8

	\$11.10	\$5.60	\$2.80
Egg or lamp.....	11.25	5.43	2.81
Split, egg, lamp, or stove.....	9.45	4.63	2.31
Stoker.....	8.25	4.23	2.31

LOW VOLATILE BITUMINOUS COALS FROM
DISTRICT NO. 8

Raven Red ash egg.....	\$11.05	\$5.63	\$2.82
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PENNSYLVANIA ANTHRACITE, VIRGINIA ANTHRACITE,
AND BRIQUETTES

	\$18.25	\$9.23	\$4.62
Pennsylvania anthracite (stove or nut).....	12.85	6.63	3.43
Virginia anthracite (egg or stove).....	12.50	6.70	3.43
Briquettes.....			

(ii) *Special sales and services*—(a) *Carry from curb or up or down stairs.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 80¢ per ton.

(b) *Trimming.* If the buyer requests such service, the dealer may charge not more than 25¢ per ton; If the buyer does not request this service, no charge may be made.

(c) *Sack coal.* When the purchaser furnishes the sacks, the dealer may charge not more than 55¢ per hundred pounds of coal sold at the yard. If the dealer furnishes the sacks, he may charge an additional 15¢ per sack. For deliveries of not less than 500 pounds of sack coal, the dealer may charge not more than a price based on the $\frac{1}{4}$ ton rate plus a sacking charge at the rate of \$1.00 per ton.

(d) *Yard sales.* When the buyer picks up coal at the yard, the dealer must reduce the applicable domestic price by \$1.00 per ton. On sales to other dealers, the dealer must reduce the applicable domestic price \$1.75 per ton.

(e) *Quantity.* When the buyer purchases in carload lots, the dealer must reduce the applicable domestic price of High Volatile Bituminous Nut and Slack Coal from District 8, 50¢ per ton, of Low Volatile Bituminous Stoker Coal from District 7, \$1.20 per ton, and of all other grades \$1.00 per ton.

(f) *Delivery zone.* For deliveries beyond the corporate limits of Wilmington, North Carolina, and within twenty miles thereof, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such city, with a minimum charge of 50¢ per ton for each such delivery, said mileage to be determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

(g) *Sales tax.* The State sales tax of 3% may be added to the prices provided in this order.

(h) *Credit.* No additional charges over the prices provided in this order may be made for the extension of credit.

(d) *Ex parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941; therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order provided the dealer states it separately from the price on the statement given to the buyer under paragraph (j) (2). (This tax need not be stated separately in sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation 122.) No part of this tax may be collected in addition to the maximum prices on sales of quarter-ton or lesser quantities or on sales of any quantity of bagged coal.

(e) *Addition of increase in supplier's prices prohibited.* The maximum prices

set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Administrator.

(f) *Power to amend or revoke.* The Price Administrator or Regional Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(g) *Petitions for amendment.* Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(h) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is granted to all persons selling, at retail, commodities for which maximum prices are established. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(i) *Records and reports.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

It is not necessary that these maximum prices be filed with the War Price and Rationing Boards.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating, any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than quarter-ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt show-

ing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Raleigh District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this Order No. G-13, the term

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, dispose, barter, exchange, supply, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

"Direct delivery" of bagged fuel or any fuel in quarter-ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry from curb or up or down stairs" refers to the movement of fuel to the buyer's bin or storage space by wheelbarrow, barrel, sack or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight August 23, 1943.

(8) "High volatile bituminous coal" and "low volatile bituminous coal" refer to coal produced in certain sections of the producing districts specified herein.

(9) "Egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the ap-

plicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943. Where the applicable minimum price schedule does not make specific mention of any size designated in this order, such size designation shall refer to the sizes of bituminous coal sold as such during December, 1941, in the area covered by this order.

(10) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§1340.355 and 1340.266 of Regulation No. 122 shall apply to terms used herein.

(m) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-13 shall become effective January 4, 1944.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, -765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 30, 1943.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-412; Filed, January 7, 1944;
12:15 p. m.]

[Region IV Order G-15 Under RMPR 122]

SOLID FUELS IN WINSTON-SALEM, N. C.

Order No. G-15 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Winston-Salem in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point within the corporate limits of the City of Winston-Salem, North Carolina, and the area lying within ten miles thereof by the most direct highway route.

(2) This order contains a price schedule applicable to sales of high volatile bituminous coal from District 8, low volatile bituminous coal from District 8, and low volatile bituminous coal from District 7, as well as Pennsylvania anthracite and briquettes.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-15 but less than maximum prices may at any time be charged, paid or offered,

(2) Obtain a higher than maximum price by

(i) Charging for a service which is not expressly requested by the buyer and which is not specifically authorized by this order.

(ii) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule. Consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made to any point within the corporate limits of the City of Winston-Salem, North Carolina, and the area lying within ten miles thereof by the most direct highway route.

(i) "Direct delivery or domestic" basis.

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per 1/2 ton 1,000 lbs.	Per 1/4 ton 500 lbs.
Lump, chunk, or block	\$3.03	\$3.03	\$2.03
Egg coal from the No. 5, Upper Banner, Dean, and Straight Creek Seams and from the Harlan Seam in Kentucky	0.85	5.15	2.03
Splint egg	0.10	4.85	2.45
Stoker	8.00	4.25	2.24

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Net	\$3.03	\$4.70	\$2.41
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PENNSYLVANIA ANTHRACITE AND BRIQUETTES

Pa. anthracite nut	\$20.85	\$19.05	\$5.49
Briquettes	0.07	5.05	2.07

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 7

Egg	\$19.25	\$5.03	\$2.75
Stove	0.03	8.29	2.05
Nut	8.05	4.75	2.45
Pea stoker	8.75	4.75	2.33
Run-of-mine	8.89	4.05	2.00

(ii) *Special sales and services.* (a) *Carry or wheel service.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(b) *Sack coal.* For splint coal in sacks the dealer may charge not more than 51¢ per 100 pounds.

(c) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price \$1.00 per ton. On sales to other dealers at the yard, the dealer must reduce the domestic price \$1.20 per ton.

(d) *Quantity.* On carload sales of forty tons or more to a single purchaser in a single order, the dealer may charge not more than the per ton maximum price of the coal at the mine, plus the per ton freight from the mine, plus \$1.00 per ton for delivery.

(e) *Delivery zone.* For deliveries beyond the corporate limits of Winston-Salem, North Carolina, and within ten miles thereof, the dealer may make an

additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such city, with a minimum charge of 50¢ per ton for each such delivery, said mileage to be determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

(f) *Sales tax.* The State sales tax of 3% may be added to the prices provided in this order.

(g) *Credit.* No additional charges over the prices provided in this order may be made for the extension of credit.

(d) *Ex parte 148 freight rate increase; transportation tax—(1) The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order provided the dealer states it separately from the price on the statement given to the buyer under paragraph (j) (2). (This tax need not be stated separately in sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation 122.) No part of this tax may be collected in addition to the maximum prices on sales of quarter-ton or less quantities or on sales of any quantity of bagged coal.

(e) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Administrator.

(f) *Power to amend or revoke.* The Price Administrator or Regional Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(g) *Petitions for amendment.* Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(h) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is granted to all persons selling, at retail, commodities for which maximum prices are established. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(i) *Records and reports.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged,

and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

It is not necessary that these maximum prices be filed with the War Price and Rationing Boards.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating, any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than quarter-ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Charlotte District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this Order No. G-15, the term

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, dispose, barter, exchange, supply, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an ad-

junct of any mine, coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

"Direct delivery" of bagged fuel or any fuel in quarter-ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry or wheel service" refers to the movement of fuel to the buyer's bin or storage space by wheelbarrow, barrel, sack or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight August 23, 1943.

(8) "High volatile, bituminous coal" and "low volatile bituminous coal" refer to coal produced in certain sections of the producing districts specified herein.

(9) "Egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943. Where the applicable minimum price schedule does not make specific mention of any size designated in this order, such size designation shall refer to the sizes of bituminous coal sold as such during December, 1941, in the area covered by this order.

(10) Except, as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.355 and 1340.266 of Regulation No. 122 shall apply to terms used herein.

(m) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-15 shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 30, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-411; Filed, January 7, 1944; 12:15 p. m.]

[Region V Order G-1 Under RMPR 122]

SOLID FUELS IN St. LOUIS, Mo.

Amendment No. 1 to Order No. G-1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, it is ordered:

The prices for the solid fuels listed in section (c) (Price Schedule) (1) (V), Coke, are changed as follows:

	Old price	New price
1. Furnace, byproduct, top size 4", bottom size 1 1/2" -----	\$11.35	\$11.05
2. Chestnut, byproduct, top size 1 1/2", bottom size 3/4" (based on furnace) -----	11.35	11.05
3. Low temperature, produced in St. Clair and Franklin Counties, top size no limit, bottom size 3/4" -----	9.00	9.30

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 6 F.R. 4631)

Issued and effective at Dallas, Texas, this the 29th day of December 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-413; Filed, January 7, 1944; 12:16 p. m.]

[Region VI Order G-1 Under RMPR 271]

POTATOES AND ONIONS IN ILLINOIS, ETC.

Order No. G-1 under Revised Maximum Price Regulation No. 271. Potatoes and onions. Order adjusting maximum prices of potatoes and onions sold by intermediate sellers in Region VI.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by § 1351.1001, article II, section II (c) (7) of Revised Maximum Price Regulation No. 271, it is hereby ordered:

(a) *What this order does.* This order establishes maximum markups for intermediate sellers' sales of white flesh table stock potatoes and dry onions and provides a method of calculating dollars and cents maximum prices in Region VI. The maximum prices herein established shall be the only maximum prices for the sales covered except to the extent that any prices established by this order are inconsistent with the prices for the same commodity established by any community flat pricing order issued under General Order No. 51, in which case the prices established by such community flat pricing order shall be the maximum price for such sales. Schedule A which contains the price schedules put in effect by this order is divided into two subsections establishing maximum prices for carlot and trucklot receivers, and

distributing wholesalers. A method of permitting carlot and trucklot receivers who customarily perform the distributing wholesaler's function to use the maximum prices of the distributing wholesaler is given in section (c). The definitions of "distributing wholesaler" and "carlot or trucklot receiver" and other terms used in this order are found in section (d). No one may sell or offer to sell white potatoes or dry onions on and after December 29, 1943, at prices higher than the maximum prices fixed under this order except as modified by section (c).

(b) *Maximum prices for intermediate sellers.* On the effective date of this order and on Wednesday of each week thereafter the seller shall calculate his maximum prices for each grade of potatoes or dry onions by first determining his base price as provided in section 11 (a) of Revised Maximum Price Regulation No. 271. The seller shall then determine whether he is a carlot or trucklot receiver or a distributing wholesaler. He shall then add to his base price for each grade of potatoes or dry onions the appropriate markup as specified in Schedule A of this order for the particular distributive function which he performs on each individual sale.

(c) *When a carlot or trucklot receiver may use the price of a distributing wholesaler.* All carlot and trucklot receivers may compute their maximum prices in accordance with the prices in Schedule A (2) for distributing wholesalers when making the applicable type of sale until January 12, 1944. A carlot or trucklot receiver who has received approval from the Regional Office of the Office of Price Administration or from any district office in Region VI to act as a distributing wholesaler in the sale of lettuce as provided for in Order G-1 under Maximum Price Regulation No. 426 is hereby considered to be a distributing wholesaler under this order and may continue to use the distributing wholesaler's markup in Schedule A (2) without further application to or order from the Office of Price Administration Regional or District Offices. Any other carlot or trucklot receiver who, during the four month period from July 1, 1942, to November 1, 1942, or if not in business during that period, during the four month period most closely subsequent to that period, made 65% or more of his total dollar volume of sales of fresh fruits and vegetables to retailers, hotels, restaurants and institutions and who desires to use the maximum prices provided for distributing wholesalers shall file with the appropriate district office of the Office of Price Administration serving his community an application containing the following information:

(1) A statement that the application is being made pursuant to section (c) of Regional Order No. G-1 under Revised Maximum Price Regulation No. 271 for permission to use distributing wholesalers maximum prices as set forth in Schedule A (2).

(2) The amount of sales in dollars of fresh fruits and vegetables from July 1 No. 7—8

to November 1, 1942, or if the applicant was not in business during that period, during the four month period most closely subsequent to that four month period.

(3) The amount of sales in dollars to retailers, hotels, restaurants and institutions for the same period.

No carlot or trucklot receiver may use the distributing wholesaler's markups in his maximum prices after January 12, 1944, unless he has qualified by reason of action previously taken under Order No. G-1 of Maximum Price Regulation No. 426 as above set forth or unless he has received permission from his district office of the Office of Price Administration pursuant to an application filed under this section.

Pursuant to the authority conferred by the Emergency Price Control Act of 1942 as amended and section 11 (c) (7) of Revised Maximum Price Regulation No. 271, it is ordered, That each of the district directors within Region VI be and they are hereby authorized to receive applications for reclassification filed under this order and to grant or deny permission for carlot or trucklot receivers to use the markups of distributing wholesalers. Any action taken by any district director pursuant to this delegation of authority shall have the same force and effect as if taken by the Price Administrator or by the Regional Price Administrator. The Office of Price Administration reserves the right to withdraw permission given any carlot or trucklot receiver to use the applicable markup for distributing wholesalers and if notice is given to such effect, or if the seller qualifies as a distributing wholesaler under action taken under Order No. G-1 of Maximum Price Regulation No. 426 and a withdrawal of permission is issued under such order, the seller must from that time forward use the prices for carlot or trucklot receivers in Schedule A (1).

(d) *Definitions.* 1. "Carlot or trucklot receiver" means any intermediate

seller who purchases potatoes or onions in carlot or trucklot quantities. Except as modified by section (c) of this order, a person is a carlot or trucklot receiver for all potatoes or onions received in this manner.

2. "Distributing wholesaler" means any intermediate seller who purchases potatoes or onions in less than carlot or trucklot quantities and sells to retailers, hotels, restaurants or institutions.

3. The definition of other terms used in this order will be found in section 8 of Revised Maximum Price Regulation No. 271 or shall have the same meaning as otherwise provided in that regulation.

(e) *Geographical applicability.* The provisions of this order shall be applicable to all sales pursuant to which delivery is made within the states of Illinois, Wisconsin, Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Lake County in the state of Indiana.

(f) The maximum prices which are set forth in this order shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to potatoes or onions alone or in conjunction with any other commodity or by way of commission, service, transportation or any other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(g) Except as otherwise provided herein the provisions of Revised Maximum Price Regulation No. 271 shall remain in full force and effect.

(h) This order may be revoked, amended or corrected at any time.

This order shall become effective on the 29th day of December 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of December 1943.

ALEX ELSON,
Acting Regional Administrator.

SCHEDULE A

[Markups over base price (computed under section 11 (a) of RMPR 271)]

	Onions 50 lbs.	Potatoes 100 lbs.
(1) Carlot or trucklot receivers:		
(a) From railroad car or truck.....	\$0.03	\$0.12
(b) F. o. b. seller's warehouse to any purchaser provided that commodity shall have been removed from car or truck to a place in seller's warehouse or store.....	.13	.20
(c) Delivered to the physical premises of another wholesaler, a retail store or a hotel, restaurant, or institutional user within the seller's free delivery zone.....	.18	.23
(d) Delivered to the premises of any purchaser outside the seller's free delivery zone.....	(1)	(1)
(2) Distributing wholesalers:		
(a) F. o. b. seller's business establishment to another wholesaler.....	.13	.20
(b) Delivered to the physical premises of another wholesaler within the seller's free delivery zone.....	.18	.23
(c) F. o. b. seller's business establishment to any purchaser other than another wholesaler.....	.24	.30
(d) Delivered to the physical premises of a retail store, hotel, restaurant or institutional user within the seller's free delivery zone.....	.40	.50
(e) Delivered sales by a hotel and restaurant supply house to the physical premises of a hotel, restaurant or institutional user within seller's free delivery zone.....	.55	.70
(f) Delivered to the premises of any purchaser outside the seller's free delivery zone.....	(1)	(1)

* The applicable price determined under (1) (c) above, plus zone differential if such zone differential has been filed in accordance with section 11 (c) (7) of RMPR 271 with the appropriate District Office of the Office of Price Administration.

* The price determined under (2) (b), (2) (d), or (2) (e) above, whichever is applicable, plus zone differential if such zone differential has been filed in accordance with section 11 (c) (7) of RMPR 271 with the appropriate District Office of Office of Price Administration.

[F. R. Doc. 44-409; Filed, January 7, 1944; 12:13 p. m.]

[Region VI Order G-14 Under SR 15, MPR 280]

FLUID MILK IN WITTENBERG, WIS.

Order No. G-14 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices for Wittenberg, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum prices for sales at wholesale in bulk.* The maximum price for the sale and delivery of fluid milk at wholesale in bulk in the Wittenberg, Wisconsin, area shall be 37¢ per gallon.

(b) *Maximum prices in bottles and paper containers.* The maximum price for the sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Wittenberg, Wisconsin, area shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
	Cents	Cents
Gallon.....	37	45
Quart.....	10	12
Pint.....	5½	6½

(c) *Fractional cents.* Where the maximum price set forth above is expressed in terms of a half cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must however be given to each buyer to purchase two units. Home deliveries at retail and all sales at wholesale shall be considered multiple unit sales unless separate collections are made for single units delivered.

(d) *Definitions.* For the purposes of this order:

(1) Sales and deliveries within the Wittenberg, Wisconsin, area shall mean:

(i) All sales made within the city limits of Wittenberg, Wisconsin, and all sales at or from an establishment located in Wittenberg, Wisconsin, and

(ii) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Wittenberg, Wisconsin.

(2) Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, bottled, distributed and sold for consumption in fluid form as whole milk.

(3) Sales at wholesale shall for the purpose of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(e) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall apply.

(f) This order may be revoked, amended or corrected at any time.

This order shall become effective December 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of November 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 44-402; Filed, January 7, 1944;
12:10 p. m.]

[Region I Order G-16 Under SR 15, MPR 280
329; Amdt. 10]

FLUID MILK IN MASSACHUSETTS

Amendment No. 10 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation No. 280, as amended, and by § 1351.408 of Maximum Price Regulation No. 329, as amended, *It is hereby ordered*, That Order No. G-16 under § 1499.18 (c) of the General Maximum Price Regulation be redesignated as Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Regulation; that subparagraph (7) of paragraph (a) be amended and that subparagraph (10) of paragraph (h) be added to read as set forth below:

(a) * * *

(7) Massachusetts milk marketing area 5A (the city of Northampton and the towns of Amherst, Easthampton and Hadley):

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles.....	\$0.16	\$0.15	\$0.135
Pint bottles.....			.075
10-ounce bottles.....			.055
Half-pint bottles.....			.0425
8-quart cans.....			1.00
10-quart cans.....			1.25
20-quart cans.....			2.50

Price to producers: \$4.25 per hundredweight.

(h) * * *

(10) Amendment No. 10 shall become effective at 12:01 a. m. on December 12, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 11, 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-438; Filed, January 7, 1944;
4:55 p. m.]

[Region I Order G-16 Under SR 15, MPR 280,
329; Corr. to Amdt. 10]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 10 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

The maximum prices set forth in subparagraph (7) of paragraph (a) are corrected so that said subparagraph shall read as follows:

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles.....	\$0.16	\$0.15	\$0.135
Pint bottles.....			.075
10-ounce bottles.....			.055
Half-pint bottles.....			.0425
8-quart cans.....			1.00
10-quart cans.....			1.30
20-quart cans.....			2.50

Price to producers: \$4.25 per hundredweight.

This correction shall become effective as of 12:01 a. m. on December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 13, 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-427; Filed, January 7, 1944;
4:54 p. m.]

[Region I Order G-16 Under SR 15, MPR 280,
329; Amdt. 11]

FLUID MILK IN MASSACHUSETTS

Amendment No. 11 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation No. 280, as amended, and by § 1351.408 of Maximum Price Regulation No. 329, as amended; *It is hereby ordered*, That subparagraphs (18), (19) and (21) of paragraph (a) and Paragraph (c) be amended, and subparagraph (11) of paragraph (h) be added to read as set forth below:

(a) * * *

(18) Massachusetts milk marketing area 9A (the towns of Charlton, Dudley, Oxford, Southbridge, Sturbridge and Webster):

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles.....	\$0.16	\$0.16	\$0.14
Pint bottles.....			.075
10-ounce bottles.....			.055
Half-pint bottles.....			.04
Bulk in cans (per quart).....			.135

Price to producers: \$4.25 per hundredweight.

(19) Massachusetts Milk Marketing Area 9B (the towns of Bellingham, Blackstone, Douglas, Hopedale, Mendon, Milford, Millville, Northbridge, Sutton, Upton and Uxbridge):

Milk	Retail delivered	Wholesale delivered
Quart bottles or cans (per quart).....	\$0.16	\$0.14
Pint bottles.....		.075
10-ounce bottles.....		.055
Half-pint bottles.....		.04

Price to producers: \$4.25 per hundredweight.

(21) Massachusetts milk marketing area 9E (the towns of Brimfield, Holland, Monson, Palmer and Wales):

Milk	Retail delivered	Wholesale delivered
Quart bottles.....	\$0.16	\$0.14
Pint bottles.....		.075
10-ounce bottles.....		.055
Half-pint bottles.....		.04
Bulk in cans (per quart).....		.135

Price to producers: \$4.25 per hundredweight.

(c) The maximum price for any sale of fluid milk subject to the General Maximum Price Regulation or to Maximum Price Regulation 280, for which no price is fixed in sections (a) and (b) of this order in the localities specified therein, shall be computed by increasing the seller's maximum price as determined under these regulations (without considering the increases permitted by Region I General Order 15 in Areas 1B, 3A, 3B, 5B, 6B, 6C, 7A, 9A and 9B on February 21, 1943, or by Region I Price Order 2 in Area 9A on November 19, 1942) by the following amounts per quart:

1½¢: Areas 1B, 3A, 3B, 4 and 9A.
1¢: Areas 5A, 5B, 6A, 6B, 6C, 7A, 9B, 9E, 16B, 16C and 19.
½¢: Areas 2B, 7B, 7C, 7E, 7F, 9C, 10C, 10D, 11AB, 12, 15C, 16A (No.), 16A (So.), 17 and 18.
No increase: Areas 1C, 2A, 3, 10B, 11C, 13A, 13B, 14A, 14B, 15A and 15B.

(h) * * *

(11) Amendment No. 11 shall become effective at 12:01 a. m. on December 19, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 18, 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-428; Filed, January 7, 1944; 4:54 p. m.]

[Region I Order G-21 Under SR 15, MPR 280, 329; Amdt. 7]

FLUID MILK IN MAINE

Amendment No. 7 to Order G-21 under § 1499.75 (a) (9) of Supplementary

Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation 280, as amended, and by § 1351.408 of Maximum Price Regulation 329, as amended, *It is hereby ordered*, That Order No. G-21 under section 1499.18 (c) of the General Maximum Price Regulation be redesignated as Order G-21 under section 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation; that the subdivision designated Aroostook County in paragraph (a) (2) be amended and that subparagraph 7 of paragraph (h) be added to read as set forth below:

(a) * * *
(2) * * *

Aroostook County:

Blaine, Fort Fairfield, Mars Hill..... Zone 4
Caribou, Houlton, Mapleton,
Presque Isle..... Zone 13
Remainder of Aroostook County..... Zone 10

(h) * * *

(7) Amendment No. 7 shall become effective at 12:01 a. m. on December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of December 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-429; Filed, January 7, 1944; 4:55 p. m.]

[Region I Order G-21 Under SR 15, MPR 280, 329; Amdt. 8]

FLUID MILK IN MAINE

Amendment No. 8 to Order No. G-21 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation No. 280, and § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered*, That the subdivisions designated as Androscoggin County, Franklin County, Kennebec County, Knox County, Lincoln County, Penobscot County, Piscataquis County, Somerset County and Waldo County in

paragraph (a) (2) be amended, and that subparagraph (8) of paragraph (h) be added to read as set forth below:

(a) * * *
(2) * * *

Androscoggin County:

Lisbon Falls (a part of Lisbon)..... Zone 3
Auburn, Lewiston, Lisbon (except that part known as Lisbon Falls), Livermore Falls, Livermore (except the parts generally known as Bretton's Mills and South Livermore)..... Zone 4
Mechanic Falls, Poland..... Zone 5
The remainder of Androscoggin County..... Zone 3

Franklin County:

Dallas Plantation, Farmington, Jay, New Vineyard, Rangeley, Rangeley Plantation, Sandy River Plantation, Wilton..... Zone 4
Remainder of Franklin County..... Zone 9

Kennebec County:

Augusta, Chelsea, Farmingdale, Gardiner, Hallowell, Manchester, Randolph, West Gardiner, Winthrop..... Zone 3
Waterville, Winslow, Benton..... Zone 4
The remainder of Kennebec County..... Zone 3

Knox County:

Camden, North Haven, Owls' Head, Rockland, Rockport, Thomaston, Vinalhaven..... Zone 3
The remainder of Knox County..... Zone 5

Lincoln County:

Boothbay, Boothbay Harbor, Bristol, Damariscotta, New Castle, Nobleboro, Southport, Waldoboro..... Zone 3
The remainder of Lincoln County..... Zone 4

Penobscot County:

Bangor, Bradley, Brewer, Charleston, Dexter, East Millinocket, Hampden, Medway, Millford, Old Town, Orono, Orrington, Veazie, Newport..... Zone 4
Millinocket..... Zone 12
The remainder of Penobscot County..... Zone 9

Piscataquis County:

Brownville, Dover - Foxcroft, Greenville, Guilford, Milo, Sangerville..... Zone 4
The remainder of Piscataquis County..... Zone 9

Somerset County:

Anson, Bingham, Fairfield, Madison, Moscow, Norridgewock, Shawhegan, Solon, Pittsfield..... Zone 4
The remainder of Somerset County..... Zone 9

Waldo County:

Isleboro..... Zone 3
Belfast and Northport..... Zone 4
The remainder of Waldo County..... Zone 10

(h) * * *

(8) Amendment No. 8 shall be effective January 1, 1944 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this first day of January 1944.

K. B. BACKMAN,
Regional Administrator.

[F.R. Doc. 44-430; Filed, January 7, 1944; 4:54 p. m.]

[Region I Order G-22 Under 18 (c) and MPR 280 and 329, Amdt. 4]

FLUID MILK IN VERMONT

Amendment 4 to Region I Order Number G-22 under § 1499.18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280: Prices for specific food products, and § 1351.408 of Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Fluid milk in the State of Vermont.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended by § 1351.807 of Maximum Price Regulation No. 280, as amended, and by § 1351.408 of Maximum Price Regulation No. 329, as amended: *It is hereby ordered*, That order No. G-22 be revised and amended to read as set forth below:

Order No. G-22 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280 and § 1351.408 of Maximum Price Regulation No. 329. Fluid milk in the State of Vermont.

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation and § 1351.803 of Maximum Price Regulation No. 280 for fluid milk sold or delivered in the State of Vermont are modified so that the maximum prices for such fluid milk shall be as specified in this paragraph (a).

(1) Localities in the State of Vermont are allocated among five price zones, as specified below, and the maximum prices for fluid milk sold or delivered in such localities shall be as follows:

Price Zone 1. Price Zone 1 shall include the following market areas as further defined in paragraph (h) of this order:

Barre	Northfield
Bellows Falls	Rutland
Bennington	St. Johnsbury
Brattleboro	Springfield
Burlington (including Ft. Ethan Allen)	Waterbury
Montpelier	White River Jct.
	Windsor

FLUID MILK WITH A BUTTERFAT CONTENT OF OVER 4.2%

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.15	\$0.15	\$0.13	\$0.12
Pint bottles.....		.09	.08	.07
Half-pint bottles.....		.07	.045	.04
Bulk, per quart.....			.12	

FLUID MILK WITH A BUTTERFAT CONTENT OF 4.2% OR LESS

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.14	\$0.14	\$0.12	\$0.11
Pint bottles.....		.08	.07	.065
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.11	

Price Zone 2. Price Zone 2 shall include the following market areas as further defined in paragraph (h) of this order:

Barton	North Troy
Bethel	Orleans
Bradford	Pittsford
Brandon	Johnson
Bristol	Lyndonville
Cavendish-Ludlow	Newport
Chelsea	Plainfield
Chester	Randolph
Fairlee	Richmond
Derby	Rochester
Enosburg Falls	Stowe
Essex Junction	Vergennes
Gilman	Wallingford
Hardwick	Williamstown
Island Pond	Wilmington
Jeffersonville	Woodstock
Manchester	Richford
Middlebury	St. Albans
Morrisville	

FLUID MILK WITH A BUTTERFAT CONTENT OF OVER 4.2%

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.14	\$0.14	\$0.12	\$0.11
Pint bottles.....		.08	.07	.065
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.11	

FLUID MILK WITH A BUTTERFAT CONTENT OF 4.2% OR LESS

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.13	\$0.13	\$0.11	\$0.10
Pint bottles.....		.07	.06	.055
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.10	

Price Zone 3. Price Zone 3 shall include all localities in the State of Vermont not listed in Price Zones 1, 2, and 4 of this order and situated south of a line commencing at a point which is the northwest corner of the Town of Charlotte and running easterly along the northerly boundary lines of the towns of Charlotte and Hinesburg to a point which is the northeast corner of said town of Hinesburg; thence southerly along the eastern boundary line of the town of Hinesburg to a point where the northerly boundary line of the town of Huntington intersects with the easterly boundary line of the town of Hinesburg; thence easterly along the northerly boundary line of the town of Huntington to a point where the northerly boundary line of the town of Huntington intersects with the westerly boundary line of the town of Duxbury; thence northerly along the westerly boundary line of the town of Duxbury to the northwesterly corner of said town of Duxbury; thence easterly along the northerly boundary lines of the towns of Duxbury, Moretown, Berlin, and Barre to the northwest corner of Orange County; thence easterly along the northerly boundary line of Orange County to a point which is the north-easterly corner of Orange County.

FLUID MILK WITH A BUTTERFAT CONTENT OF OVER 4.2%

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.135	\$0.135	\$0.115	\$0.105
Pint bottles.....		.07	.06	.05
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.105	

FLUID MILK WITH A BUTTERFAT CONTENT OF 4.2% OR LESS

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.125	\$0.125	\$0.105	\$0.095
Pint bottles.....		.07	.06	.055
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.095	

Price Zone 4. Price Zone 4 shall include the following Market Areas as further defined in paragraph (h) of this order:

Milton Montgomery
Westmore

FLUID MILK WITH A BUTTERFAT CONTENT OF OVER 4.2%

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.13	\$0.13	\$0.11	\$0.10
Pint bottles.....		.07	.06	.055
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.10	

FLUID MILK WITH A BUTTERFAT CONTENT OF 4.2% OR LESS

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.12	\$0.12	\$0.10	\$0.09
Pint bottles.....		.07	.06	.055
Half-pint bottles.....		.06	.045	.03
Bulk, per quart.....			.09	

Price Zone 5. Price Zone 5 shall include all localities in the State of Vermont not listed in Price Zones 1, 2, and 4 of this order and situated north of the line described above under Price Zone 3.

FLUID MILK WITH A BUTTERFAT CONTENT OF OVER 4.2%

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.125	\$0.125	\$0.105	\$0.095
Pint bottles.....		.07	.06	.055
Half-pint bottles.....		.06	.04	.035
Bulk, per quart.....			.095	

FLUID MILK WITH A BUTTERFAT CONTENT OF 4.2% OR LESS

Quantity	Retail delivered	Retail over counter	Wholesale	Dealer to dealer
Quart bottles.....	\$0.115	\$0.115	\$0.095	\$0.085
Pint bottles.....		.06	.05	.05
Half-pint bottles.....		.06	.035	.03
Bulk, per quart.....			.085	

(2) The above retail prices for standard milk shall be the maximum prices for sales for home consumption by producers, dealers, producer-dealers and stores, whether sold for cash or on credit, and whether sold on the premises or delivered to the consumer. The above retail prices shall also be the maximum prices for sales of standard milk by hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments for other than home consumption: *Provided*, That if the maximum retail prices of any such seller as

established under § 1499.2 of the General Maximum Price Regulation are higher than those set forth above, the maximum retail prices so established under such Regulation shall be such seller's maximum prices.

(3) The above wholesale prices for standard milk shall be the maximum prices for sales in containers of the sizes listed, in any quantity, to stores, hotels, restaurants, hospitals, schools and other incidental wholesale trade, and to religious and fraternal organizations and institutions and government agencies, and also for sales averaging eight or more quarts daily to boarding houses, tourist lodges serving meals, and wayside stands.

(4) The above dealer-to-dealer maximum prices shall be the maximum prices for sales by dealers or producer-dealers to other dealers or producer-dealers.

(5) For milk sold in paper containers, not more than one cent per container may be added to applicable prices set forth herein.

(6) The maximum prices fixed in this order for standard milk shall be applicable whether the milk is pasteurized or raw, except that where pasteurized milk is delivered by a seller in a market other than the one in which its principal place of business is located, its maximum price for such milk shall be the maximum price for such milk in the market in which its principal place of business is located if such price is higher than that in the market in which it delivers the milk. Any purchaser which resells such pasteurized milk may increase its maximum price therefor by the exact amount of the increase in the cost of such milk to it effected by this subsection (6).

(7) All other customary deposit charges and price differentials which any seller had in effect during the base period for special milk, including but not limited to Grade A milk, flavored milk, trade-marked milk, but excluding milk of specially high or low butterfat content, may be added to or must be subtracted from, as the case may be, the maximum prices for fluid milk as fixed in this paragraph (a). The base period to be used for computing all such differentials shall be:

(i) For sales of fluid milk subject to the GMPR, March 1942.

(ii) For sales of fluid milk subject to MPR 280, the period September 28, 1942 to October 2, 1942-inclusive.

(8) The maximum prices for single pints sold at retail in combination with one or more quarts, or when quarts are not available, shall be no more than one-half of the above retail quart prices. The maximum price for two-quart bottles shall be two times the price of quart bottles in the applicable schedule above.

(9) Where the total bill at the time of sale, if sold for cash, or at the end of any billing period if sold on credit, comes out at a fraction of a cent, the seller may charge the next higher cent.

(b) The maximum prices established by § 1351.402 of MPR 329 for fluid milk bought or received from producers in Region I for ultimate resale as fluid milk in the State of Vermont are modified as specified in this paragraph (b).

(1) The maximum prices for fluid milk bought or received from producers in Region I for ultimate resale as fluid milk in the localities in the State of Vermont specified below shall be as follows, except that for each 1/10 of 1% by weight by which the butterfat content of such fluid milk exceeds or is less than 3.7% by weight, the appropriate price to the producer shall be increased or diminished, as the case may be, by the butterfat differential announced for the applicable month for the Boston Market by the Milk Administrator of the Greater Boston Marketing Area:

Addison County: the entire County, \$3.69.
Bennington County: the entire County, \$3.71.

Caledonia County: Hardwick and Newark, \$3.65; the remainder of Caledonia County, \$3.69.

Chittenden County: The entire County, \$3.65.

Essex County: the entire County, \$3.65.

Franklin County: the entire County, \$3.63.

Grand Isle County: the entire County, \$3.63.

Lamoille County: the entire County, \$3.65.

Orange County: the entire County, \$3.69.

Orleans County: the entire County, \$3.65.

Rutland County: the entire County, \$3.71.

Washington County: the entire County, \$3.69.

Windham County: Dummerston, Gullford, Putney, Rockingham, Vernon and Westminster, \$3.79; Brattleboro, \$3.95; the remainder of Windham County, \$3.71.

Windsor County: Baltimore, Cavendish, Chester, Hartford, Hartland, Ludlow, Norwich, Springfield, Weathersfield, West Windsor, Windsor and Woodstock, \$3.79; the remainder of Windsor County, \$3.71.

(2) All other customer's deposit charges and price differentials which were in effect for purchases from any producer during January 1943 for special milk, including but not limited to Grade A milk, but excluding milk of specially high or low butterfat content, may be added to or must be subtracted from, as the case may be, the maximum prices for fluid milk as fixed in this paragraph (b).

(3) Where the total bill at the time of sale, if sold for cash, or the end of any billing period, if sold on credit, comes out at a fraction of a cent, the fraction may be adjusted to the next higher cent.

(c) Each milk distributor selling milk subject to this order to purchasers for purposes of resale shall promptly notify such purchasers in writing of the maximum prices permitted by this order for sales by the distributor and by such purchasers, and of the requirement that such maximum prices for sales at retail be posted by such purchaser (if a retailer) in accordance with the provisions of section 13 of the General Maximum Price Regulation.

(d) All previous Region I Price Orders affecting the maximum prices of fluid milk sold in the State of Vermont are superseded by this Order-G-22, including:

(1) Region I Price Order 3 under section 18 (c) of the General Maximum Price Regulation: Fluid Milk in Bennington, Vermont.

(2) Region I Price Order 4 under section 18 (c) of the General Maximum

Price Regulation: Fluid Milk in Montpelier and Barre, Vermont.

(3) Region I Price Order 5 under section 18 (c) of the General Maximum Price Regulation: Fluid Milk in St. Albans and Swanton, Vermont.

(4) Region I Price Order 11 under section 18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation 230: Fluid Milk in Vermont.

(e) This order may be revoked, amended, or corrected at any time.

(f) This order shall become effective April 7, 1943 at 12:01 a. m.

(g) Amendments to Order G-22 shall become effective as follows:

(1) Amendment 1 shall become effective May 23, 1943, at 12:01 a. m.

(2) Amendment 2 shall become effective as of April 7, 1943, at 12:01 a. m.

(3) Amendment 3 shall become effective July 14, 1943, at 12:01 a. m.

(4) Amendment 4 shall become effective December 26, 1943, at 12:01 a. m.

(h) The market areas mentioned in this order shall be composed of localities as specified below:

Market Areas and Localities Included

Barre: The city of Barre: Town of Barre, including East Barre, South Barre, Graniteville, the village of Foxville in the town of Williamstown; and the Montpelier road to Dodge Crossing.

Barton: Incorporated Village of Barton and summer cottages immediately adjacent to Crystal Lake.

Bellows Falls: Incorporated village of Bellows Falls, Saxtons River, East Parish, and North Westminster.

Bennington: The town of Bennington and such parts of the town of Shaftsbury as lie within the limits of the villages of North Bennington and Shaftsbury.

Bethel: The Whitcomb School District.

Bradford: The incorporated village of Bradford.

Brandon: The village of Brandon as far north on Route 7 as Pine Hill Cemetery; out Tucker road as far as and including T. Davidson's farm; out Champlain Street as far as the overpass; down Pearl Street as far as the village dump; down Carver Street as far as and including Harry Dundon's farm; through the Jones Pond District as far south on Route 7 as and including Pate's Tourist Home; residences along Golf Course road from Goodnow's to Mrs. Edward's inclusive; from Mrs. Edward's residence across to the Catholic Cemetery to the Forestdale-Brandon road; all residences on Seminary Hill.

Brattleboro: The town of Brattleboro.

Bristol: Village of Bristol to Dawes Corners, west to Richardson Place but not including Richardson Place, east to Rocky Dale, north to schoolhouse at Gold Grounds.

Burlington: Winooski, Winooski Park, Burlington, Shore Line and summer resorts from north end of Malletts Bay in Colchester to southerly boundary of Bartlett's Bay and congested area in South Burlington.

Cavendish-Ludlow: Township of Cavendish including the incorporated village of Proctorsville and the village of Cavendish; the incorporated village of Ludlow, and the Township of Ludlow.

Chelsea: The Fire District of the Village of Chelsea.

Chester: Chester Fire District No. 1 and Fire District No. 2, including on the Andover Road the farm of John Arcott.

Derby: The township of Derby including the incorporated villages of Derby and Derby Line.

Enosburg Falls: Incorporated village of Enosburg Falls.

Essex Junction: The village of Essex Junction.

Fairlee: The town of Fairlee.

Gilman: The village of Gilman including the road leading north as far as Ida Bell's farm; south to the James Grant farm; west to Irwin Power's farm, and east to the Connecticut River.

Hardwick: The incorporated village of Hardwick and the village of Mackville.

Island Pond: The village of Island Pond and the town of Brighton.

Jeffersonville: The incorporated villages of Cambridgeboro and Jeffersonville and the village of Cambridge Junction.

Johnson: The village of Johnson, incorporated.

Lyndonville: The village of Lyndonville and the township of Lyndon.

Manchester: The town of Manchester.

Middlebury: The township of Middlebury and that portion of the town of Weybridge from Gorham's Corner through Pulp Mill Bridge to Seymour Street.

Milton: The area bounded by the limits of the village of Milton and, in certain directions extending to and including the following points along the cement road to the airport, the St. Albans road to Jim Manley's, the Miltonboro road to John Laroque's, the south road to McMullen's Crossing; meaning to include all intervening territory within the aforesaid bounds.

Montgomery: The Villages of Montgomery and Montgomery Center.

Montpelier: City of Montpelier, Barre road to Dodge Bridge, Worcester road including village of Wrightsville, East Montpelier Village to Plainfield line and Burlington road to Middlesex Line.

Morrisville: The township of Morristown and the township of Hyde Park excluding North Hyde Park Village.

Newport: City of Newport and the Newport Country Club.

Northfield: The town of Northfield.

North Troy: Including all the territory within the boundary of the North Troy Corporation.

Orleans: The incorporated village of Orleans.

Pittsford: Pittsford, Village bounded as follows: on the North by farm of J. B. Candon, Main Route #7; on the East by what is known as the Plains and Pittsford Furnace; on the West by Otter Creek and on the South by Hudson School House.

Plainfield: The incorporated village of Plainfield.

Randolph: The village of Randolph.

Richford: The incorporated village of Richford.

Richmond: Incorporated village of Richmond and village of Jonesville.

Rochester: North Boundary—Bean Bridge; South Boundary—Severy Bridge; East Boundary—Brooks Street to village reservoir. Also Bethel Mountain road to Pearl Sander's house. Also including that part of Rochester village lying west of the River on the west of said Village.

Rutland: Rutland City, Rutland Town, Center Rutland.

St. Albans: The city of St. Albans and the township of St. Albans.

St. Johnsbury: The incorporated village and the township of St. Johnsbury.

Springfield: The town of Springfield.

Stowe: Village of Stowe including lower village; Waterbury road as far as Karl Moody Farm; Morrisville road as far as E. C. Scribner place; West Branch road as far as Leon McCutcheon; on the Notch road to Jeffersonville up to and including Barnes Camp; Stowe Hollow as far as Will Rollins, Moscow Road as far as Collins' place, so-called.

Vergennes: The City of Vergennes.

Wallingford: Village of Wallingford and, to be specific, a radius of two miles with the True Temper Inn as a center.

Waterbury: All of the town of Waterbury, Duxbury, beginning at Winoski Creek Bridge extending to and including Duxbury Corner to Crossett Hill turn by Demeritt Saw Mill, then to Moretown town line near South Main Street Bridge and in Moretown to include all of the area adjacent to Duxbury Corner and extending in Middlesex to Buck Bridge.

Westmore: On the east side of the lake south to and including Trail's End; east on the Long Pond road to Gerald Perkins' farm and on the East Hill Road to Charles Shover farm and M. LaCrosse farm; north to the Brownington and Barton lines; west around the lake including all the camps up to and including Irving Robinson's and back from the lake to Lem Woodard's farm.

White River Junction: Town of Hartford, Town of Norwich, that part of the town of Hartford known as District #4.

Williamstown: The Fire District of the village of Williamstown.

Wilmington: The incorporated village of Wilmington and all intervening territory within the following limits: From the Averill stand corner on the Brattleboro Road to West Street at the barn and garage of the Forest and Stream Club, and from the Crafts Farm on the north to the top of Castle Hill on the south.

Windsor: Town of Windsor, Village of Windsor, Town of Hartland excepting District #4.

Woodstock: The Town of Woodstock.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of December 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-431; Filed, January 7, 1944;
4:53 p. m.]

[Region I Supp. Order 1 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

Supplementary Order No. 1 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Quality standards. Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended: *It is hereby ordered, That:*

(a) The following provision concerning quality standards and the use of the specific maximum prices for Pennsylvania anthracite contained in the orders listed, is added by the specified paragraph to the Region I orders under Revised Maximum Price Regulation No. 122 which are listed in paragraph (b) of this Supplementary Order No. 1, to read as follows:

Quality standards and applicability of prices for Pennsylvania anthracite. The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not

exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the Area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request. The price will be established either by an amendment of this order or by a letter to the applicant.

(b) The paragraphs which add the provision concerning quality standards and the use of the specific maximum prices for Pennsylvania anthracite set forth in this Supplementary Order No. 1, and the applicable Region I orders under Revised Maximum Price Regulation No. 122, are as follows:

Paragraph, Order Number, and Area

- (1); Revised G-3; Metropolitan Boston Area;
- (17); G-4; Rhode Island.
- (n); G-9; Metropolitan Boston Area.
- (p); G-11; Lawrence, Massachusetts, Area.
- (m); G-12; Haverhill, Massachusetts, Area.
- (m); G-13; Lynn-Salem Area.
- (p); G-14; Lowell, Massachusetts, Area.
- (m); G-15; Manchester, New Hampshire, Area.
- (m); G-16; Brockton, Massachusetts, Area.
- (m); G-17; Taunton, Massachusetts, Area.
- (1); G-18; New London, Connecticut, Area.
- (m); G-19; Concord, New Hampshire, Area.
- (m); G-21; Nashua, New Hampshire, Area.
- (m); G-22; Worcester, Massachusetts, Area.
- (m); G-23; Stoughton, Massachusetts, Area.
- (m); G-24; Bridgeport, Connecticut, Area.
- (o); G-25; Portland, Maine, Area.
- (m); G-26; Portsmouth-Kittery Area.
- (n); G-28; Bangor, Maine, Area.
- (n); G-29; Lewiston-Auburn Area.
- (m); G-30; Augusta, Maine, Area.
- (m); G-31; Brunswick, Maine, Area.
- (m); G-32; Rockland, Maine, Area.
- (n); G-33; Biddeford-Saco Area.
- (n); G-34; Bath, Maine, Area.

This Supplementary Order No. 1 shall become effective January 17, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-432; Filed, January 7, 1944;
4:53 p. m.]

[Region III Order G-1 Under RMPR 271]

DRY ONIONS IN CLEVELAND REGION

Order No. G-1 under revised Maximum Price Regulation No. 271. Order adjusting maximum wholesale prices of dry onions sold in Region III.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1001, Article II, section 11 (c) (7) (iii) of Revised Maximum Price Regulation No. 271, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for dry onions when sold by intermediate sellers. It provides a method of calculating dollars-and-cents maximum prices for all sales by intermediate sellers in Region III. All terms not defined herein shall have the same meaning as provided in Revised Maximum Price Regulation No. 271, as the same now exists or hereafter may be amended. The maximum prices herein established shall be the only maximum prices for the sales covered, except to the extent that any prices established by this order are inconsistent with the prices for the same grade of dry onions established by any Community Flat Pricing Orders issued under General Order No. 51 by any District Office, in which case the prices established by such Community Flat Pricing Orders shall be the effective prices for such sales.

(b) *Maximum prices for intermediate sellers.* On the effective date of this order and on Wednesday of each week thereafter, the seller shall calculate his maximum prices for each grade of onion by determining his base price as provided in Article II, section 11 of Revised Maximum Price Regulation No. 271. The seller shall next determine whether he is a first or second intermediate seller as defined in this order. He shall then add to his base price for each grade and variety of dry onions the appropriate mark-up as specified in Schedule A of this order for the particular distributive function which he performs on each individual sale.

(c) *Geographical applicability.* The provisions of this order shall be applicable to all sales pursuant to which delivery is made at any point within the States of Indiana, (except the County of Lake), Kentucky, Michigan, Ohio, and West Virginia.

(d) *Definitions.* (1) First intermediate seller means an intermediate seller at any receiving point who has purchased any quantity of dry onions from a country shipper, either directly or through a broker or grower's agent, or from a carlot or trucklot distributor, and who resells such onions in less than carlot or trucklot quantities.

(2) Second intermediate seller means an intermediate seller who has purchased dry onions in less than carlot or trucklot quantities from another intermediate seller and who resells such onions in less than carlot or trucklot quantities. An

intermediate seller can be a second intermediate seller in selling only those quantities of onions purchased from another intermediate seller in less than carlot or trucklot quantities.

(e) The provisions of Revised Maximum Price Regulation No. 271, as to sales and transactions with respect to onions, shall not be affected by this order, except as such provisions are specifically changed or modified herein.

This order may be modified, amended, or revoked at any time by the Office of Price Administration.

This order shall become effective January 3, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 & E.O. 9328, 8 F.R. 4681)

Issued December 27, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

SCHEDULE A

MAXIMUM PRICES FOR INTERMEDIATE SELLERS OF DRY ONIONS

(1) *First intermediate sellers.* (i) From railroad car or truck.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271, plus 13 cents per 50# bag.

(ii) F. o. b. seller's warehouse or delivered to physical premises of a chain store warehouse, or another intermediate seller, provided that onions have been removed from a car or truck to a place in a seller's warehouse or store.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271 plus 18 cents per 50# bag.

(iii) Delivered to the physical premises of a retail store, hotel, restaurant, or institutional user in the seller's free delivery zone except by a hotel and restaurant supply house.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271 plus 30 cents per 50# bag.

(iv) Delivered to the physical premises of retailers or institutional users located outside the free delivery zone of the seller.

The applicable price determined under (iii) of Schedule A (1) above, plus zone differential if such zone differential has been determined under MPR 271, section 11 (c) (7) and has been filed with the appropriate District Office of the Office of Price Administration.

(2) *Second intermediate sellers.* (i) F. o. b. the seller's business establishment to any purchaser or delivered to the premises of another intermediate seller.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271 plus 30 cents per 50# bag.

(ii) Delivered to the physical premises of a retailer, hotel, restaurant, or institutional user located within the free delivery zone of the seller.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271 plus 40 cents per 50# bag.

(iii) Delivered to the physical premises of a retailer or institutional user located outside the free delivery zone of the seller.

The applicable price determined under (ii) of Schedule A (2) above plus zone differential if such zone differential has been de-

termined under MPR 271, section 11 (c) (7) and has been filed with the appropriate District Office of the Office of Price Administration.

(3) *Hotel and restaurant supply houses.* (i) F. o. b. the seller's business establishment to any hotel, restaurant, commercial, industrial or institutional user.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271 plus 45 cents per 50# bag.

(ii) Delivered to the physical premises of a hotel, restaurant, commercial, industrial or institutional user located within the seller's free delivery zone.

Base price as established on Wednesday of each week under the provisions of article II, section 11 of Revised Maximum Price Regulation No. 271 plus 55 cents per 50# bag.

(iii) Delivered to the physical premises of a hotel, restaurant, commercial, industrial, or institutional user located outside of the seller's free delivery zone.

The applicable price determined under (ii) of Schedule A (3) above plus zone differential if such zone differential has been determined under MPR 271, section 11 (c) (7) and has been filed with the appropriate Office of the Office of Price Administration.

[F. R. Doc. 44-435; Filed, January 7, 1944; 4:55 p. m.]

[Region III Order G-18 under 18 (c) Amdt. 7]

FLUID MILK AND SPECIAL MILK IN KENTUCKY

Amendment No. 7 to Order No. G-18 under § 1499.18 (c) as Amended, of the General Maximum Price Regulation. Adjustment of the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is hereby ordered:

(1) That the County of Clark be deleted from the list of counties appearing in paragraph B of section I.

(2) That the County of Mason be deleted from the list of counties appearing in subparagraph 1 of paragraph D of section I.

(3) That paragraph E of section I be amended to read as set forth below:

I. * * *

E. The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Harlan and Knott in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The Maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	62½ per gallon.
Retail	Glass or paper	One-half gallon	32½ per one-half gallon.
Retail	Glass or paper	One quart	17½ per quart.
Retail	Glass or paper	One pint	9½ per pint.
Retail	Glass or paper	One-half pint	6½ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	56½ per gallon.
Wholesale	Glass or paper	One-half gallon	28½ per one-half gallon.
Wholesale	Glass or paper	One quart	15½ per quart.
Wholesale	Glass or paper	One pint	7½ per pint.
Wholesale	Glass or paper	One-half pint	4½ per one-half pint.

- (4) That paragraph I of section I be re-numbered as paragraph L.
 (5) That new paragraphs I, J and K, as set forth below, be added to section I.

I. * * *

I. The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Clark and Madison in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	52½ per gallon.
Retail	Glass or paper	One-half gallon	27½ per one-half gallon.
Retail	Glass or paper	One quart	14½ per quart.
Retail	Glass or paper	One pint	8½ per pint.
Retail	Glass or paper	One-half pint	6½ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	45½ per gallon.
Wholesale	Glass or paper	One-half gallon	22½ per one-half gallon.
Wholesale	Glass or paper	One quart	12½ per quart.
Wholesale	Glass or paper	One pint	6½ per pint.
Wholesale	Glass or paper	One-half pint	3½ per one-half pint.

J. Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Clay, Mason and Whitley in the State of Kentucky at (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51½ per gallon.
Retail	Glass or paper	One-half gallon	26½ per one-half gallon.
Retail	Glass or paper	One quart	14½ per quart.
Retail	Glass or paper	One pint	9½ per pint.
Retail	Glass or paper	One-half pint	7½ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	48½ per gallon.
Wholesale	Glass or paper	One-half gallon	24½ per one-half gallon.
Wholesale	Glass or paper	One quart	13½ per quart.
Wholesale	Glass or paper	One pint	8½ per pint.
Wholesale	Glass or paper	One-half pint	4½ per one-half pint.

K. The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the County of Johnson in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	53½ per gallon.
Retail	Glass or paper	One-half gallon	30½ per one-half gallon.
Retail	Glass or paper	One quart	16½ per quart.
Retail	Glass or paper	One pint	9½ per pint.
Retail	Glass or paper	One-half pint	6½ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	53½ per gallon.
Wholesale	Glass or paper	One-half gallon	27½ per one-half gallon.
Wholesale	Glass or paper	One quart	14½ per quart.
Wholesale	Glass or paper	One pint	7½ per pint.
Wholesale	Glass or paper	One-half pint	4½ per one-half pint.

This amendment to Order No. G-18 under § 1499.18 (c), as amended, of the General Maximum Price Regulation shall become effective December 24, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued December 24, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-439; Filed, January 7, 1944; 4:56 p. m.]

[Region III Order G-20 Under 18 (c),
Amdt. 4]

FLUID MILK IN MICHIGAN

Amendment No. 4 to Order No. G-20 under § 1499.18 (c), as amended, of the General Maximum Price Regulation, Adjustment of the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended in the following respects:

1. The Counties of Bay, Kent and Saginaw are deleted from the list of Counties set forth in paragraph 2 of Schedule A and are added to the list of Counties set forth in paragraph 3 of Schedule A.

2. The County of Berrien is deleted from the list of counties set forth in paragraph 1 of Schedule A and is added to the list of counties set forth in paragraph 3 of Schedule A.

3. The Counties of Branch, Cass, St. Joseph and Van Buren are deleted from the list of counties set forth in paragraph 1 of Schedule A and are added to the list of counties set forth in paragraph 2 of Schedule A.

This Amendment No. 4 to Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective December 22, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 22, 1943.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-433; Filed, January 7, 1944;
4:53 p. m.]

[Region IV Order G-2 Under RMPR 123,
Amdt. 2]

SOLID FUELS IN CLARKE COUNTY, GA.

Amendment No. 2 to Order No. G-2 under § 1340.260 of Revised Maximum Price Regulation No. 122 (formerly designated as "General Order No. 2 under Revised Maximum Price Regulation No. 122"). Solid fuels sold and delivered by dealers in Clarke County, Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122,

It is hereby ordered, That paragraph (a) (1) and paragraph (a) (5) of Order No. G-2 under § 1340.260 of Revised Maximum Price Regulation No. 122 (formerly designated as General Order No. 2 under Revised Maximum Price Regulation No. 122) be amended to read as set forth below:

(a) *Maximum prices for bituminous coal sold at retail by dealers located in Clarke County, Georgia.* On and after November 29, 1943, the maximum prices for the various kinds and sizes of bituminous coal set forth below sold at retail by dealers whose business establishments are located in Clarke County, Georgia, shall be:

(1) Maximum prices per ton:
5" to 6" Harlan or Jellico lump or block, \$10.05 (regular); \$10.55 (premium).
2½" x 5" and 3" x 6" Harlan or Jellico egg, \$9.55 (regular); \$10.05 (premium).
0" to 1¼" stoker, \$9.55.
Nut and slack, \$6.65.
Montevallo 8" black, \$11.05.

(5) The maximum price for any quantity less than 100 pounds shall be determined by adding \$1.00 to the maximum price in paragraph (a) (1) above and dividing the sum by a proportionate divisor.

For example: The maximum price for 50 pounds of 5" Harlan lump would be:
\$10.05 plus \$1.00=\$11.05.
50 pounds=1/40 of 2,000 pounds.
\$11.05÷40=Maximum price for 50 pounds.

This Amendment No. 2 to Order No. G-2 shall become effective November 29, 1943.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 3, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-436; Filed, January 7, 1944; 4:56 p. m.]

[Dallas Order 1 Under Restaurant MPR 5-4, Amdt. 2]

MALT BEVERAGES IN DALLAS DISTRICT

Amendment No. 2 to Order No. 1 under Restaurant Maximum Price Regulation No. 5-4. Food and drink sold for immediate consumption. Maximum prices for malt beverages.

An opinion involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 1 under Restaurant Maximum Price Regulation No. 5-4 is amended in the following respects:

1. Section 3 (a) is amended to read as follows:

SEC. 3. *Your ceiling prices.* Your ceiling prices for malt beverages are set forth below:

(a) Brand or trade name	Maximum prices per bottle			
	6 oz.	12 oz.	24 oz.	32 oz.
	Cents	Cents	Cents	Cents
Carta Blanca	17	18	18	18
Pabst Ale	17	18	18	18
Red Top Ale	17	18	18	18
Bohemian (Splits) Ale	17	18	18	18
Budweiser	17	18	18	18
Blatz Pilsener	17	18	18	18
Muehlebach Pilsener	17	18	18	18
Pabst Blue Ribbon	17	18	18	18
Pilsener Club	17	18	18	18
Schlitz	17	18	18	18
Country Club	17	18	18	18
Miller's High Life	17	18	18	18
Barbarossa	17	18	18	18
Peerless Amber	17	18	18	18
Silver Fox	17	18	18	18
Downs	17	18	18	18
Canadian Ace	17	18	18	18
Lemp's Black Label	17	18	18	18
Koenigs Brau	17	18	18	18
Birk's Trophy (Premium Beer)	17	18	18	18
Blue Bonnet	17	18	18	18
Falstaff	17	18	18	18
Grand Prize	17	18	18	18
Jax	17	18	18	18
Lone Star	17	18	18	18
Mellow Brew	17	18	18	18
Pearl	17	18	18	18
Stern Brau	17	18	18	18
Pom Boy	17	18	18	18
Southern Select	17	18	18	18
Topaz	17	18	18	18
White Seal	17	18	18	18
Victory	17	18	18	18
Pioneer	17	18	18	18
Polo	17	18	18	18

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective December 16, 1943.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued at Dallas, Texas, this 16th day of December 1943.

GUS W. THOMASSON,
District Director.

[F. R. Doc. 44-440; Filed, January 7, 1944; 4:47 p. m.]

[Region VII Order G-1 Under 19a]

SALES OF MILK TO ARMED FORCES IN UTAH

Order No. G-1 under § 1499.19a of the General Maximum Regulation. Adjustable pricing on sales of milk to the armed forces.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1499.19a of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

(a) *Maximum prices for sales of milk to the armed forces.* The maximum prices for milk sold in glass or paper containers to the armed forces at any place in the State of Utah by any seller shall be the seller's present maximum prices as established under the applicable price regulations now in force and effect; *Provided*, That the seller may agree with the buyer to deliver at prices to be adjusted upward in accordance with action taken by the Denver Regional Office, Region VII, after delivery, and pursuant to the

adjustment provisions contained in Amendment 8 to Supplementary Regulation 14A to the General Maximum Price Regulation.

(b) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

Effective date. This order becomes effective January 1, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of December 1943.

CLEW W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-434; Filed, January 7, 1944; 4:56 p. m.]

[Region VII Order G-11 Under MPR 329, Amdt. 1]

FLUID MILK IN WYOMING

Order No. G-11 under Maximum Price Regulation No. 329, Amendment No. 1. Purchases of milk from producers in the State of Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1351.403 (b) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (c) is amended by adding thereto a second and further proviso to read as follows: *Provided further*, That milk distributors who have established places of business within Albany or Laramie Counties in the State of Wyoming may purchase milk from the following named Colorado producers, at the price hereinabove stated for District No. 1:

- (1) Richard Ayers, Carr, Colo.
- (2) Lester Chadwick, Carr, Colo.
- (3) Deacons Dairy, Greeley, Colo.
- (4) Vernon Doughty, Eston, Colo.
- (5) Harry Evans, Fort Collins, Colo.
- (6) Elmo Sheldon, Greeley, Colo.
- (7) L. E. Johnson, Carr, Colo.
- (8) A. J. Mair, Fort Collins, Colo.
- (9) Morrison Brothers, Carr, Colo.
- (10) Henry Prange, Carr, Colo.
- (11) Raymond Schneider, Fort Collins, Colo.
- (12) H. F. Schroeder, Carr, Colo.
- (13) Hillman Thayer, Timnath, Colo.
- (14) R. H. Watts, Timnath, Colo.
- (15) Dr. Lowell Little, Fort Collins, Colo.
- (16) E. L. Groat, Greeley, Colo.
- (17) Pete Miller, Fort Collins, Colo.
- (18) A. R. Dayton, Carr, Colo.
- (19) Wilbur Thomas, Carr, Colo.
- (20) P. C. Lamb, Windsor, Colo.
- (21) Kester Kemp, Ault, Colo.
- (22) L. D. Balmer, Carr, Colo.
- (23) Kleber Brothers, Ault, Colo.
- (24) H. D. Miles, Carr, Colo.
- (25) Floyd Anderson, Bellvue, Colo.
- (26) M. R. Collicott, Carr, Colo.
- (27) Paul Walker, Ault, Colo.
- (28) Allen Bitters, Carr, Colo.
- (29) P. J. McCoy, Windsor, Colo.
- (30) J. W. Kennedy, Pierce, Colo.
- (31) W. A. Rheadarmer, Pierce, Colo.
- (32) C. E. Alkire, Pierce, Colo.
- (33) H. E. Rheadarmer, Pierce, Colo.
- (34) Clarence Gardner, Fort Collins, Colo.
- (35) Phillip Schneider Windsor, Colo.
- (36) C. E. Rheadarmer, Pierce, Colo.

- (37) Dave Weltzel, Fort Collins, Colo.
- (38) Jake Sietback, Pierce, Colo.
- (39) John Jeromason, Ault, Colo.
- (40) Gilbert Graff, Pierce, Colo.
- (41) R. L. Giddings, Fort Collins, Colo.
- (42) A. D. Macey, Pierce, Colo.
- (43) H. Macey, Pierce, Colo.
- (44) A. M. Macey, Pierce, Colo.

Effective date. This Amendment No. 1 shall become effective retroactively as of October 15, 1943, the effective date of said Order No. G-11.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of December 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-437; Filed, January 7, 1944;
4:55 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 7-728, 7-729, 7-730]

PHILADELPHIA STOCK EXCHANGE

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of January, A. D. 1944.

In the matter of applications by the Philadelphia Stock Exchange to extend unlisted trading privileges to Consolidated Natural Gas Company Capital Stock, \$15 Par Value, File No. 7-728; Farnsworth Television & Radio Corporation Common Stock, \$1 Par Value, File No. 7-729; and Libby, McNeill & Libby Common Stock, \$7 Par Value, File No. 7-730.

The Philadelphia Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, January 24, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the

inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-473; Filed, January 8, 1944;
3:17 p. m.]

[File No. 70-844]

CENTRAL OHIO LIGHT & POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of January, A. D. 1944.

Notice is hereby given that an application or declaration (or both) has been filed pursuant to the Public Utility Holding Company Act of 1935 by Central Ohio Light & Power Company, a subsidiary of Crescent Public Service Company, a registered holding company.

All interested persons are referred to said application or declaration (or both), which is on file at the offices of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Central Ohio Light & Power Company proposes to issue and sell \$4,300,000 principal amount of First Mortgage Bonds, Series A, 3½%, due February 1, 1974. Such Series A Bonds will be sold through competitive bidding, pursuant to Rule U-50 promulgated under the Public Utility Holding Company Act of 1935.

The proceeds from the sale of such bonds, except accrued interest, together with other cash from funds in the company's treasury, are to be used by Central Ohio Light & Power Company as follows: (1) To redeem and retire all its presently outstanding First Mortgage 4% Bonds, Series C, due August 1, 1964, in the principal amount of \$3,981,000 at 106.75% of the principal amount thereof together with accrued interest thereon; (2) to redeem and retire all its presently outstanding First Mortgage 3½% Bonds, Series D, due March 1, 1966 in the principal amount of \$394,000 at 103.25% of the principal amount thereof together with accrued interest thereon; and (3) to pay duplicate interest and the expenses of such financing.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application or declaration (or both) shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on January 19, 1944, at 10:00 a. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Notice is hereby given of said

hearing to the above-named applicant-declarant, to the Public Utilities Commission of Ohio, and to all interested persons, said notice to be given to said applicant-declarant and to the Public Utilities Commission of Ohio by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issuance and sale of bonds are solely for the purpose of financing the business of the company and have been authorized by the Public Utilities Commission of Ohio.

(2) Whether, if so, it is necessary and appropriate to impose terms and conditions in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-474; Filed, January 8, 1944;
3:17 p. m.]

[File No. 30-206]

STANDARD OIL CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of January 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 by Standard Oil Company (New Jersey) ("Standard") for an order that it has ceased to be a holding company. The application states that on August 12, 1943, Standard registered as a holding company under section 5 of the act, by virtue of its ownership of all the voting stocks of four gas utility subsidiaries (Hope Natural Gas Company, The East Ohio Gas Company, The Peoples Natural Gas Company and The River Gas Company). Thereafter, pursuant to a plan filed under section 11 (e), and approved by the Commission (Holding Company Act Release No. 4617), Standard caused Consolidated Natural Gas Company ("Consolidated") to be organized and Standard transferred to it all the stock of the four gas utility subsidiaries and also the stock of New York State Natural Gas Corporation, a non-utility pipeline subsidiary, in exchange for all the shares of stock of Consolidated, which stock was distributed by Standard to its stockholders. The application further

states that Standard has fully consummated the transactions proposed in the plan by completely divesting itself of all of the stock of Consolidated and has ceased directly and indirectly to own or control the voting securities of these former subsidiaries or any other public utility or holding company within the meaning of the act.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing in this proceeding be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on the 21st day of January 1944, in such room as may be designated on such day by the hearing room clerk. At such hearing, cause shall be shown why such application shall be granted.

All persons desiring to be heard or otherwise wishing to participate shall notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before January 20, 1944.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to Standard Oil Company (New Jersey) and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the requested declaration of status is consistent with all applicable requirements of the act and the rules thereunder.

2. Whether it is necessary or appropriate for the protection of investors to impose any terms and conditions and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-486; Filed, January 10, 1944;
9:58 a. m.]

[File No. 70-833]

GLENDALE WATER CO.

ORDER PERMITTING DECLARATION TO
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Penn-
sylvania, on the 6th day of January,
A. D. 1944.

Glendale Water Company, a wholly-owned subsidiary company of Pennsylvania State Water Corporation, a subsidiary company of American Water Works and Electric Company, Incorporated, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 promulgated thereunder regarding the payment of liquidating dividends to its only stockholder, Pennsylvania State Water Corporation, by distributing \$57,500 as a partial liquidating dividend, the balance of its assets, \$10,204 in cash, to be used initially to satisfy tax and any other remaining liabilities, and thereafter paid as a final liquidating distribution; and

Said declaration having been filed on December 9, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (c) are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration, pursuant to Rule U-46, to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the said declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-485; Filed, January 10, 1944;
9:58 a. m.]

[File No. 70-805]

ILLINOIS POWER CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of January 1944.

Illinois Power Company, a public-utility company which is a registered holding company and also a subsidiary of The North American Company, North American Light & Power Company and Illinois Traction Company, all registered holding companies, having filed an application on October 23, 1943, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said act regarding: (1) the issue and sale, by competitive bidding pursuant to the requirements of Rule U-50 promulgated under said act, of \$65,000,000 principal amount of its First Mortgage and Collateral Trust Bonds, —% Series due November 1, 1973, and (2) the issue and sale to commercial banks of

its 2½% Serial Notes in the principal amount of not less than \$4,000,000 and not more than \$5,000,000, maturing serially in not more than five years from date; and

Hearings having been held on said application on November 23, 1943, after appropriate notice; and

Illinois Power Company having on December 20, 1943, filed an amendment to the aforesaid application requesting, pursuant to the provisions of subparagraph (5) of Rule U-50 (a), that the proposed bonds be exempted from the competitive bidding requirements as set forth in paragraphs (b) and (c) of said rule; and a hearing having been held on said amendment on December 27, 1943, after appropriate notice; and the Commission having made and filed its findings and opinion herein in which, for reasons set forth therein, the application filed pursuant to section 6 (b) was considered as a declaration pursuant to section 7;

It is ordered, That the declaration pursuant to section 7 with respect to the issue and sale of the above-described bonds and serial notes be and the same is hereby permitted to become effective subject to the terms and conditions prescribed by Rule U-24 and subject also to the following additional terms and conditions:

1. That the issue and sale of the proposed bonds and notes shall not be consummated until the price and terms of the new bonds have been incorporated in an amendment filed in these proceedings and a further order has been entered by this Commission; jurisdiction is hereby reserved for the entrance of such further order and the imposition of such terms and conditions as may be deemed appropriate in connection therewith;

2. That the applicant file an amendment containing a revised estimate of the fees and expenses to be incurred in connection with the proposed refunding; jurisdiction is hereby reserved over the payment of all such fees and for the entrance of such orders as may be deemed appropriate with respect thereto.

It is further ordered, That the amended application filed pursuant to subparagraph (5) of Rule U-50 (a) for an exemption of the bonds from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-482; Filed, January 10, 1944;
9:53 a. m.]

[File Nos. 59-63, 70-842]

TIDE WATER POWER CO. AND GENERAL GAS
AND ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR CONSOLI-
DATION AND HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 7th day of January 1944.

In the matter of Tide Water Power Company, Respondent, File No. 59-63; General Gas & Electric Corporation, File No. 70-842.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by General Gas & Electric Corporation, a registered holding company; and

All interested persons are referred to the said declaration, which is on file in the office of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

General Gas & Electric Corporation proposes to sell to Warren W. Bell, for the cash consideration of \$55,000, all of the outstanding 115,789 shares of common stock of Tide Water Power Company. Bell is a director of Tide Water Power Company.

The declarant has designated section 12 (d) of the act, and Rule U-44 promulgated thereunder, as applicable to the filing.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter, and that said declaration shall not become effective except pursuant to further order of this Commission; and

The Commission having heretofore instituted proceedings (bearing File No. 59-68) under sections 11 (b) (2), 12 (c), 15 (f) and 20 (a) of the act, with respect to Tide Water Power Company, and a public hearing having been held on such matter; and

It appearing to the Commission that the said proceedings instituted by the Commission under File No. 59-68 and the matter arising by reason of said declaration, filed under File No. 70-842, are related, and that the evidence offered in respect to each of such matters may have a bearing upon the other matter, and that substantial savings of time and expense will result if the matters are consolidated for hearing;

It is hereby ordered, That such proceedings in File No. 59-68 be, and hereby are, consolidated with the matter regarding the declaration filed under File No. 70-842;

It is further ordered, That a hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be held on February 8, 1944, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held;

At such hearing cause shall be shown why such declaration shall become effective. Notice is hereby given of said hearing to the above-named declarant and to all interested parties.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before February 5, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that

purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at such hearing to the following matters:

1. Whether the proposed transaction is in the public interest and in the interest of investors and consumers;

2. More specifically, whether the proposed sale of the common stock to and its acquisition by an affiliate are in the public interest and not detrimental to the interest of investors or consumers or in circumvention of the provisions of the act and rules, regulations, or orders promulgated thereunder;

3. Whether the consideration to be received for the proposed sale is fair and reasonable;

4. The propriety of the accounting treatment to reflect the proposed transaction on the books of the declarant;

5. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts or capital structure of Tide Water Power Company, or otherwise in regard to the proposed transaction;

6. Whether, in all other respects, the proposed transaction complies with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and rules and regulations promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-483; Filed, January 10, 1944;
9:58 a. m.]

[File No. 70-821]

FEDERAL LIGHT & TRACTION COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of January 1944.

Federal Light & Traction Company, a registered holding company and a direct subsidiary of Cities Service Power & Light Company, and an indirect subsidiary of Cities Service Company, both registered holding companies, having filed a declaration pursuant to section 12 (d) of the act and Rule U-44 thereunder regarding the sale of 2,500 shares (100%) of \$100 par value capital stock of Rawlins Electric Company, an electric utility subsidiary operating in Rawlins, Wyoming, to Edmund Steinauer of Lincoln, Nebraska, for a basic cash consideration of \$350,000 pursuant to an agreement dated November 19, 1943; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is ordered, That said declaration is permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24, and without prejudice to our jurisdiction to require segregation of Federal Light & Traction Company's unallocated investments.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-484; Filed, January 10, 1944;
9:58 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 1028 (48 U.S.C. 375, 391a, 404, 481, 489, 367, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following miscellaneous items of equipment for the better security of life at sea are approved:

BUOYANT APPARATUS

20-person metallic buoyant apparatus Model No. 1 (Dwg. No. 1743 dated 23 October 1943), submitted by L. A. Young Spring and Wire Corporation, Oakland, California.

BUOYANT CUSHION

15" x 15" x 2" Typha filled buoyant cushion for use on motorboats of classes A, 1, and 2 not carrying passengers for hire (Dwg. dated 8 December 1943), Approval No. B-208, manufactured by the American Pad & Textile Company Greenfield Ohio.

JACKKNIVES

Jackknives, Types Q-5 and Q-6, submitted by the Camillus Cutlery Company, Camillus, New York.

FIRE RESISTIVE SUBSTANCE

Navy deck blue machine compound type 6A, for use in the treatment of cotton drill covers of life preservers, finished by the American Pad & Textile Company, Greenfield, Ohio, furnished by Buckeye Fabric Finishing Company, Coshocton, Ohio.

LIFE FLOAT

15-person rectangular balsa wood life float, Model No. 2 (Dwg. dated 9 December, 1943), submitted by the William J. Jaeger Furniture Company, Los Angeles, California.

R. R. WAESCHE,
Commandant.

JANUARY 7, 1944.

[F. R. Doc. 44-447; Filed, January 8, 1944;
10:18 a. m.]

WAR PRODUCTION BOARD.

BUTANE EQUIPMENT COMPANY, INC.

CONSENT ORDER

Butane Equipment Company, Inc., a Texas corporation with its main office at 3301 South Lamar Street, Dallas, Texas, is charged by the War Production Board with having used 40 tons of carbon steel in the production of liquefied petroleum gas equipment during the fourth quarter of 1943, when the only allotment which had been made to it by the War Production Board of carbon steel which could

be used for this purpose and the authorized production schedule issued by the War Production Board to it consisted of 20 tons of such material for the manufacture of pressure vessels during that quarter. Although the Butane Equipment Company does not admit or deny the charges made by the War Production Board, nevertheless it does not desire to contest such charges and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Butane Equipment Company,

Inc., the Regional Compliance Chief and the Regional Attorney and upon approval of a compliance Commissioner, *It is hereby ordered, That:*

(a) Butane Equipment Company, Inc., shall list with the Facilities Department of the Eighth Region of the War Production Board all carbon steel sheet and plate in excess of a sixty-day working inventory of approximately 120 tons. It agrees to dispose of the steel so listed under the provisions of Priorities Regulation No. 13.

(b) Butane Equipment Company, Inc., shall use its facilities to manufacture and make deliveries of all defense orders as provided in § 944.7 of Priorities Regulation No. 1.

(c) This order shall be effective for a period of ninety (90) days from the date of issuance.

Issued this 8th day of January 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-476; Filed, January 8, 1944;
3:33 p. m.]

